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CELEBRATION
OF THE
ONE HUNDRED AND
TWENTY-FIFTH ANNIVERSARY
OF THE
EVACUATION OF BOSTON
BY THE
BRITISH ARMY, MARCH 17, 1901

NOTE.—MARCH 17 FALLING ON SUNDAY THE CELEBRATION WAS
ON MONDAY, MARCH 18



PRINTED BY ORDER OF THE CITY COUNCIL

BOSTON
MUNICIPAL PRINTING OFFICE
1901



MAYOR THOMAS N. HART.

73-44
AF
1901

CITY OF BOSTON.

IN COMMON COUNCIL, March 28, 1901.

Ordered, That the Clerk of Committees, under the direction of the Committee on Printing, be instructed to prepare and cause to be printed and bound a memorial volume containing the addresses of His Honor the Mayor, Hon. Charles J. Noyes, Hon. George F. Hoar, and Hon. Henry F. Naphen, delivered on the occasion of the celebration of the 125th anniversary of Evacuation Day, together with the ode by Charles P. Anderson, and such other matter as may be deemed expedient; the expense attending the same to be charged to the appropriation for printing.

Passed. Sent up for concurrence.

DANIEL J. KILEY, *President*.

IN BOARD OF ALDERMEN, April 1, 1901.

Concurred.

JAMES H. DOYLE, *Chairman*.

A true copy.

Attest:

EDWARD J. DONOVAN, *City Clerk*.

EVACUATION DAY.

PRELIMINARY ARRANGEMENTS.



ALDERMAN JOSEPH J. NORTON,
Evacuation Day Committee.

PRELIMINARY ARRANGEMENTS.

The celebration of the one hundred and twenty-fifth anniversary of the evacuation of Boston by the British army was held in accordance with action of the city government as follows:

CITY GOVERNMENT ORDERS.

January 31.

Councilman J. Frank O'Hare of Ward 14 offered an order, — That the Committee on Appropriations be requested to include in the appropriation bill the sum of \$10,000 for the celebration on March 18th next, of the one hundred and twenty-fifth anniversary of the Evacuation of Boston.

Referred to the Committee on Appropriations.

Councilman also offered an order, — That His Honor the Mayor be requested to communicate with the Secretary of War and ask that he may detail some warships to Boston Harbor to take part in the celebration of the one hundred and twenty-fifth anniversary of Evacuation Day, March 18.

Passed. Sent up. Concurred, February 4.

February 7.

Councilman Lawrence J. Kelly of Ward 13 offered an order, — That a committee of ten members of the Common Council with such of the Board of Aldermen as may be joined be appointed, to make up and take charge of a programme on the occasion of the celebration of the one hundred and twenty-fifth anniversary of the Evacuation of Boston, March 18.

Passed. Sent up. Concurred, February 11.

February 25.

Alderman M. W. Norris offered an order, — That His Honor the Mayor be requested to instruct the heads of Departments to

grant a holiday, without loss of pay, on Monday, March 18, 1901, Evacuation Day, to all employees whose services can be dispensed with, without loss of pay, in part compensation for their services.

Passed. Sent down. Concurred, February 28.

In accordance with the above orders the Committee on Appropriations reported in the annual appropriation bill the sum of seven thousand dollars for the celebration, and the following committee was appointed:

ALDERMEN. — Joseph J. Norton, *Chairman*, Michael W. Norris, Patrick Bowen, George R. Miller, Joseph I. Stewart.

COUNCILMEN. — Lawrence J. Kelly, John E. L. Monaghan, Andrew L. O'Toole, J. Frank O'Hare, John J. Teevens, jr., Patrick J. Shiels, William L. White, William E. Hickey, James M. Lane, Hugh Young.

After a number of meetings the committee decided that the most effective way of observing the day was by the distribution to the school children throughout the whole city of souvenir medals, and a parade and local celebration in South Boston, whose citizens claimed a particular interest in the day, as being the district in which was located Dorchester Heights, the site of the fortifications which compelled the evacuation.

This program was approved by the Mayor, and accordingly one hundred thousand medals, the reverse being a copy of the medal presented by Congress to General Washington on the Evacuation of Boston, and the obverse containing a wreath and the inscription "Souvenir 125th Anniversary Evacuation Day, Boston, Mass, 1901," were distributed to all the school children in the City of Boston, and to many older persons who desired them as a memento of the occasion.

The local celebration consisted of a parade, illumination of the principal streets in South Boston, artillery salute on Dorchester Heights, athletic games on M-street playground, and a band concert and fireworks display at Marine park.

SCHOOL EXERCISES.

On February 25, Alderman M. W. Norris offered an order, That the School Committee, through His Honor the Mayor, be requested to cause the regular sessions of the public schools to

be suspended on Monday, March 18, 1901, and that exercises commemorative of Evacuation Day be held in the schools in place of same.

Passed. Sent down. Concurred, February 28.

In reply to this order the following was received:

MAYOR'S OFFICE,
BOSTON, MASS., 21 March, 1901.

To the Honorable the City Council:

GENTLEMEN, — Enclosed is a communication from the School Committee in answer to your Order asking that exercises commemorative of Evacuation Day be held in the public schools.

Respectfully,

THOMAS N. HART,
Mayor.

CITY OF BOSTON,
IN SCHOOL COMMITTEE, March 12, 1901.

Ordered, That the City Council be respectfully informed, through His Honor the Mayor, that, in accordance with its request, the afternoon sessions of all the public schools will be suspended on March 18, 1901, and that exercises commemorative of Evacuation Day will be held in said schools during the final hour of the morning session.

Passed.

A true copy. Attest:

THORNTON D. APOLLONIO,
Secretary.

As stated in the communication from the School Committee the afternoon session of the schools was suspended, and patriotic exercises were held in all the schools of the city during the final hour of the morning session, at which time the pupils were presented with the city government medals.

THE PROCESSION.



MAJOR GEORGE F. H. MURRAY.
Ninth Regiment, M.V.M.,
Chief Marshal Evacuation Day Procession.

THE PROCESSION.

The presence in the harbor of the U.S.S. "Hartford" and the U.S.S. "Lancaster" afforded the committee an opportunity of adding interest to the parade, through the courtesy of the Secretary of the Navy, by obtaining the presence of four companies of blue-jackets from each of the ships, accompanied by their bands; and also a battalion of marines from the Navy Yard, with the Marine Band.

The parade started promptly at two o'clock in the afternoon, and proceeded over the following route:

ROUTE.

Forming at Marine Park, East Broadway to G street, G street to Thomas park, Thomas park to G street, G street to East Broadway, East Broadway to West Broadway, West Broadway to Broadway Extension, Broadway Extension to Washington street, Washington street to Eliot street, Eliot street to Park square, Park square to Charles street, Charles street to Beacon street, Beacon street to School street, School street to Washington street, Washington street to Adams square.

CHIEF MARSHAL AND STAFF.

Chief Marshal.—Major George F. H. Murray, 9th Regiment.

Chief of Staff.—Captain William J. Casey, 9th Regiment.

Staff.—Colonel J. Payson Bradley, Ancient and Honorable Artillery.

Colonel James Sullivan, Union Veterans Union.

Lieutenant Colonel William H. Devine, 2d Brigade Staff.

Major John J. Sullivan, 9th Regiment.

Major Joseph J. Kelley, 9th Regiment.

Major John P. Lombard, 9th Regiment.

Captain John Farley, Grand Army of the Republic.

Captain Frank K. Neal, National Lancers.

Captain Thomas F. Clark, Legion of Spanish War Veterans.

Lieutenant Joseph J. Foley, 9th Regiment.

Lieutenant George Proctor, National Lancers.

Sergeant Major George H. Russell, 1st Heavy Artillery.

Sergeant George H. Nee, 21st United States Infantry.

Milton C. Paige, Amoskeag Veterans.

Thomas W. Flood, Ancient and Honorable Artillery.

Orderly Michael C. Novak, 9th Regiment.

FORMATION.

Mounted Police under command of Sergeant Stone.

Municipal band, 20 pieces.

Company of 7th United States Artillery from Fort Warren,
2d Lieutenant Clifford C. Carson in command, acting as
escort to the chief marshal — 45 men.

Coast Artillery — 10 men.

CHIEF MARSHAL AND STAFF.

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Sergeant Major George H. Russell, 1st Heavy Artillery.

Sergeant George H. Nee, 21st United States Infantry.

Milton C. Paige, Amoskeag Veterans.

Thomas W. Flood, Ancient and Honorable Artillery.

Orderly Michael C. Novak, 9th Regiment.

United States Marine Band, Drum Major Rann — 25 pieces.

Battalion of United States Marines, three companies, Capt. Dion C. Williams, acting major; Lieutenant Colvocorosses, Adjutant and Lieutenants Wadleigh, Udell, Manwaring and Herbert in command of the companies — 125 men.

U.S.S. "Hartford" Band — 25 men.

Battalion from U.S.S. "Hartford," Lieutenant Commander Alexander Sharp, Jr., in command of four companies — 250 men.

U.S.S. "Lancaster" Band — 20 men.

Battalion from U.S.S. "Lancaster," Lieutenant Commander William F. Fullam in command of four companies — 250 men.

Lieut. Col. Lawrence J. Logan in command of six companies of the Ninth Regiment — 350 men.

Staff, Lieut. Benjamin J. Flanigan, Chaplain James Lee, Lieut. Jeremiah A. Cronin, assistant surgeon.

Ninth Regiment Band — 40 pieces.

1st Battalion under command of Capt. John J. Hayes, Co. H, acting major.

Co. A, 1st Lieut. George M. Rogers.
2d Lieut. Timothy J. Sullivan.

Co. B, Capt. James F. Walsh.
1st Lieut. John J. Hickey.
2d Lieut. James A. Guthrie.

Co. E, Capt. John J. Barry.
1st Lieut. Daniel P. Sullivan.
2d Lieut. Cornelius J. Murphy.

Co. H, 1st Lieut. Patrick H. Sullivan.

3d Battalion, under command of Capt. Thomas F. Quinlan, Co. C, acting major.

Co. C, 1st Lieut. Henry Crane.
2d Lieut. Maurice E. Bowlan.

Co. I, Capt. James A. Cully.
1st Lieut. John F. Delaney.
2d Lieut. John F. McInnis.

Co. D, Naval Brigade, Ensign Everett W. Scott commanding —
100 men.

St. Augustine Band — 25 pieces.

Washington Post, No. 32, G.A.R., Commander John Mahoney —
60 men.

Dahlgren Post, No. 2, G.A.R., Commander Frank Wilkinson —
45 men.

Gettysburg Command, Union Veterans' Union, Colonel King
commanding — 35 men.

Major M. J. O'Connor Camp, No. 4, Legion of Spanish War
Veterans, Senior Vice Commander Lorenzo B.
Crowley commanding — 60 men.

1st Carriage, Governor W. Murray Crane.
Mayor Thomas N. Hart.
Admiral William T. Sampson.
Alderman Joseph J. Norton.

2d Carriage, Lieutenant Governor John L. Bates.
Congressman Henry F. Naphen.
Adjutant General Samuel Dalton.
Alderman Michael W. Norris.

3d Carriage, President R. A. Soule of State Senate.
Speaker J. J. Myers of Legislature,
Commander H. B. Mansfield, U.S.S. "Lancaster."
Alderman George R. Miller.

4th Carriage, Councillor J. J. McNamara.
Congressman Joseph A. Conry.
Commander J. M. Hawley, U.S.S. "Hartford."
Alderman Patrick Bowen.

5th Carriage, Lieutenant Whittlesey, U.S.S. "Lancaster."
Alderman Joseph I. Stewart.
Councilman J. Frank O'Hare.
Councilman John J. Teevens, jr.

6th Carriage, Lieutenant Rohrbacher, U.S.S. "Hartford."
Paymaster Merritt, U.S.S. "Hartford."
Councilman William L. White.
Councilman Hugh Young.

- 7th Carriage, Sergeant Parker, U.S.S. "Hartford."
Past Commander Thomas Ryan, Post 32, G.A.R.
Councilman L. J. Kelly.
Councilman J. E. L. Monaghan.
- 8th Carriage, Councilman P. J. Shiels.
Councilman W. E. Hickey.
Councilman J. M. Lane.
- 9th Carriage, Senator James B. Clancy.
Councilman A. L. O'Toole.
Street Commissioner James A. Gallivan.
- 10th Carriage, Hon. John B. Martin,
President John H. Means,
Secretary Edward J. Powers,
Treasurer David L. White,
Committee of South Boston Citizens' Association.
- 11th Carriage, Sergeant Arthur Kelly,
J. J. Clark,
Representatives of Legion of Spanish War Veterans.
- 12th Carriage, City Messenger Edward J. Leary.
E. P. Barry, Editor South Boston "Inquirer."

At Adams square Governor Crane, Mayor Hart, the members of the city government committee, Lieutenant-Governor Bates, the officers from the war-ships, and the other invited guests reviewed the parade.

The decorations on the line of march, especially in South Boston, were notably fine. Nearly every private residence and store was gay with bunting, and all the city buildings were festooned with colors.

In the evening, Battery A, Light Artillery, fired a salute on Dorchester Heights.

THE BANQUET.

COMMITTEE OF THE SOUTH BOSTON CITIZENS' ASSOCIATION,
EVACUATION DAY CELEBRATION.



JOHN H. MEANS,
President South Boston Citizens' Association.



EDWARD J. POWERS,
Secretary South Boston Citizens' Association.



HON. JOHN B. MARTIN,
Toastmaster; Banquet, Gray's Hall.

THE BANQUET.

A prominent feature of the celebration of Evacuation Day was the reception and banquet, held under the auspices of the South Boston Citizens' Association in Gray's Hall, South Boston. The reception lasted from seven o'clock to eight, during which time the members of the association and guests had an opportunity of meeting the distinguished personages who were present on the occasion. At the conclusion of the banquet the exercises were opened with prayer by the Rev. Albert E. George, rector of St. Matthew's Episcopal Church.

PRAYER BY REV. ALBERT E. GEORGE.

O, Almighty God, for these blessings which we are about to receive, make us ever thankful, and keep us under thy merciful guidance. Give us grace to lay to heart the great gifts and privileges which thou hast honored us with in this republic of liberty, which our national history sets forth.

We thank thee, Father, for the cherished memories of this occasion, binding our hearts to the years gone before, marked with the records of many useful lives, for the deeds of self-sacrifice, the devotion, and manly characters that have held our minds in reverence so long. Make us worthy imitators of their virtues, and consecrate us anew to the service of ministering to the best needs of humanity. Let us feel thy guiding hand, and listen for thy voice, that the paths of peace and prosperity may be ours, and our national pride through

the years that are to come. We ask these blessings through Him, our Saviour, Jesus Christ our Lord. Amen.

At the conclusion of the prayer President John H. Means of the association said :

PRESIDENT MEANS' ADDRESS.

Ladies and Gentlemen,— We are gathered here this evening to celebrate the 125th anniversary of the evacuation of Boston. I am proud of our people to-night. Being a native of South Boston, whose ancestors took an active part at that time, it gives me greater pleasure than it perhaps otherwise would to welcome this assembly, whose numbers are only limited by the size of the hall.

This has been a great day for South Boston. The celebration should be long remembered, and the Washington medals, which have been distributed by the city, will be mementoes for years to come.

I have a letter which will interest you at this time, an original letter, written and signed by George Washington, which I will read :

CAMBRIDGE, 2d March, 1776.

Sir: After weighing all circumstances of Tide, &c., and considering the hazard of haveing the posts on Dorchester Neck taken by the enemy & the evil consequences which would result from it, the Gentlemen here are of opinion that we should go there Monday night. I give you this early notice of it that you may delay no time in preparing for it, as everything here will be in readiness to cooperate. In haste, Your Most Obedt Servt,

G^O WASHINGTON.

Saturday Evening.

To Maj.-Gen. Ward, Roxbury.

Remember Barrels.

I am sure you will be interested and your blood warmed when our honored guests tell you of the event which we are celebrating. I now take great pleasure in introducing as presiding officer for the evening, one who stands high in the regard of this association, a thoroughly patriotic American, our ex-president, the Hon. John B. Martin.

Toastmaster Martin then arose and thanked the association for the honor conferred upon him, saying that it was an exceptional honor to preside at an occasion of this kind.

JOHN B. MARTIN.

A people governed without their consent are not governed at all. Coerced into obedience by superior physical force, the result is inevitable ; disregard of official authority and finally open rebellion.

England, disregarding the advice of her ablest statesmen, imposed upon the colonies in America unjust laws to which they would not submit ; nor would she listen to their plea for moderation. With a determination to be free men they began the battle for human liberty and the rights of free government for and by themselves.

Thus we find them in the latter part of the eighteenth century, and to-night we are here to commemorate one of the most important events in that great struggle — the driving forever from Boston of the British troops by that small band of patriots under the command of General Washington.

We are indeed fortunate that the celebration is held here on the Heights where were encamped the patriots who, by masterly strategy, drove Lord Howe, with his fleet of transports, his soldiers and the Tory residents

of Boston out of the city to more congenial climes, never to return. This is hallowed ground. Here on one of its hills stands, to teach the youth and impress the older generation, that noble edifice, one of the best results of Christian freedom, our High School, open and free to all.

This grand country, rich in all that is good, free as the ocean breeze, is our heritage, an inspiration to love liberty and extend its beneficial influence to all peoples.

It is not my desire to detain you from the intellectual and patriotic treat which is in store for us, and take great pleasure in extending a hearty welcome to our guests, and presenting as the first speaker one who is loved, honored and respected wherever people are free or wanting to be free.

He then introduced United States Senator George Frisbie Hoar.

The mention of the senator's name brought forth a tremendous ovation, and, as the speaker arose to address the assembled concourse, all arose with him and he was cheered and applauded until he stepped forward to begin his address. He said:

SENATOR GEORGE FRISBIE HOAR.

We meet to celebrate a great transaction — one of the greatest in all history. The expulsion of the British army from Boston has never had the notice it deserves from historians or made its due impression on the hearts of the people. Yet its lessons have been read to us by Edmund Burke in one hemisphere, and Nathaniel Hawthorne in another. Burke said just afterward that “it resembled more the emigration of a nation than the breaking up of a camp.” The genius of Hawthorne never reached a higher plane than in the wonderful story of “Howe's Masquerade in the Legends of the

Province House," when he summons the ghosts of the ancient Governors of the province to form the funeral procession of royal authority in New England.

America certainly in the last century made her full and noble contribution to the literature of fiction. Not to speak of Cooper and Irving, the genius of the author of "Uncle Tom's Cabin" was a large power in inspiring the sentiment that abolished slavery, and the genius of the author of "The Man Without a Country" was a large inspiration in the saving of the Union. But I believe each would yield the palm to Hawthorne.

The mighty power of England, you will remember, had dwelt here more than 150 years, a space longer nearly by a generation than the duration of our independence. We were British subjects for 145 years. We have been under the Constitution of the United States but 112 years. No child was ever more certainly the father of the man than the Massachusetts of the Puritan and the Pilgrim was the parent of the Massachusetts of the nineteenth century. Other blood has mingled with the stream which is in her veins. Other races have joined her children and sit at her hospitable board. New conditions, wealth and commerce, and education and invention have had their influence. More than one-half her citizens to-day are of foreign birth or parentage.

But yet I delight to think that in the essential qualities of character the Massachusetts of the Commonwealth is the Massachusetts of the colony and the province. But still the single event in her history, from the settlement to this hour is that which transformed her people from subjects to citizens. The gov-

ernment of England was in the main a gentle government, much as our fathers complained of it. But it was an alien government. Her yoke was easy, and her burden was light. But it was a yoke and a burden still. On the 18th of March, 1776, royalty went down the harbor, and freedom came in from the country.

I will not undertake to tell again the familiar story. The expulsion of Sir William Howe with his veteran troops, the flower of the British army, aided by the flower of the British navy, by an inferior force of undisciplined militia, is one of the audacities of military history.

Washington, as you know well, had shut the British army into Boston with an inferior force. Large part of it went out of service during the season, and their places were taken by new levies. For a long time he had no powder. The soldiers were discontented and threatening to go home. When a supply of powder was obtained by capturing a British ship there were left but seven rounds of ammunition to a man.

On the other hand, Sir William Howe assured the British ministry Boston seemed impregnable. The officers spent their time in gayety, with music and dancing and feasting, without a thought of danger from the despised force across the river. Provisions were in abundance, and communication with the whole world by sea was open. They had in the harbor 120 transports, well provisioned, besides a powerful fleet of men-of-war with 3,000 seamen, all well equipped with ample supplies of ammunition and cannon.

Congress was spurring Washington. December 27, 1775, Washington, according to Bancroft, had "not

half as many serviceable troops as the army he besieged." Yet on that day Congress authorized him to attack Boston, notwithstanding the town might thereby be destroyed. Washington answered: "It is not, perhaps, in the pages of history to furnish a case like ours—to maintain a post within musket shot of the enemy for six months together, without powder, and at the same time to disband one army and recruit another within that distance of twenty odd British regiments is more, probably, than ever was attempted." In February Washington had completed the reorganization of his army, and had got 100 barrels of powder in reserve.

There were difficulties enough left. The besieged were stronger in effective force than the besiegers. They were in a town accessible by land only by a narrow neck, easily defended. The cautious and deliberate Washington had audacity enough when audacity was not insanity. His plan was to build intrenchments on Dorchester Heights which would compel Howe to quit the town or attack him, and if such an attack were made then to take the British in the rear.

I shall take no laurel leaf from the pure chaplet of Washington's fame if I give due honor in this transaction to a son of Massachusetts whose great military and civil service, surpassed, in my opinion, by those of no other man, save Washington and Lincoln alone, has not yet received its due credit from history. I speak of Rufus Putnam. The story of his part in the expulsion of the British army from Boston, in the fortification of West Point, and in the yet larger transaction of the founding of Ohio, has only lately become

known as the diaries of the actors in those transactions have been made public. I am but telling a story I have told once or twice heretofore, and if I live I hope to tell it more than once or twice hereafter.

Rufus Putnam was a millwright. He had no education in his youth except what he got in such moments as he could snatch from a boyhood of hard work, under a stepfather, who was too stingy to allow him candles for study. His stepfather kept a tavern. By blacking the guests' boots he got a few pennies to buy powder and shot, with which he killed partridges that he sold to buy an arithmetic.

At seventeen he was bound apprentice to a millwright in North Brookfield. His new master was kind and generous, and the lad learned his business well. He was a soldier in the old French war and lieutenant-colonel of a Worcester county regiment when the Revolution broke out. He was appointed, against his earnest protest, engineer, to take charge of the works about Boston. Washington afterward said of him, he was the best engineer officer in the army, whether American or Frenchman.

One night he dined with Washington at headquarters in Cambridge. Washington kept him after the rest had gone, and confided to him his purpose. But the ground was frozen solid four feet deep, and it seemed out of the question to entrench Dorchester Heights. Washington declared his purpose to make the attack at all risks, whether the Heights could be fortified or not, before his discouraged army should scatter.

Putnam went back to his own quarters, near Roxbury, at midnight. He saw a light as he passed the

quarters of General Heath, and said to an officer who was with him, "Let's go in and call on General Heath." When he got in, he saw on a table a book, entitled "Muller's Field Engineering." He had never seen or heard of such a book before. He asked General Heath to lend it to him. Heath peremptorily refused, and said he never lent his books. Putnam pressed him, but without success, until at last he said, "General Heath, you were one of the men who a few weeks ago compelled me against my will to undertake an office for which I told you I was utterly unfit, and now the first chance I have to get any information about its duties, you refuse me." Heath yielded. Putnam took the book to his quarters. Before he went to bed he glanced over the index. His eye caught the word "chandelier," a term utterly unknown to him in the art of military engineering. Looking at the page he found that a chandelier consisted of four logs sawed off even, so as to stand upright, joined by timbers let into them, like the posts of an old-fashioned bedstead, and the space between the sides filled in with bundles of fagots. These would serve the purpose of a rude defence against an attacking force. In an instant Putnam had his plans ready. The next day he had his men at work, gathering the fascines and getting the posts and timbers ready, which could be drawn to Dorchester Heights by a road behind the hill, without attracting observation from the enemy. They were put in their place in a single night.

When the sun went down on Boston on the fourth of March Washington was at Cambridge and Dorchester Heights, as nature or the husbandman had left

them in the autumn. When Sir William Howe rubbed his eyes on the morning of the fifth he saw, through the heavy mist, the entrenchments, on which, he said, the rebels had done more work in a night than his whole army would have done in a month. He wrote to Lord Dartmouth that it must have been the employment of at least twelve thousand men. His own effective force, including seamen, was about eleven thousand. Washington had but fourteen thousand fit for duty. "Some of our officers," said the *Annual Register* — Edmund Burke was the writer — "acknowledged that the expedition with which these works were thrown up, with their sudden and unexpected appearance, recalled to their minds the wonderful stories of enchantment and invisible agency which are so frequent in the eastern romances." Howe was a man of spirit. He took the prompt resolution to attempt to dislodge the Americans the next night, before their works were made impregnable. Earl Percy, who had learned something of Yankee quality at Bunker Hill and Lexington, was to command the assault. But the power that dispersed the Armada baffled all the plans of the British general. There came "a dreadful storm at night," which made it impossible to cross the bay until the American works were perfected.

You know your own history. You heard as children the mighty deeds "which God performed of old." Without a guide you can follow Sir William Howe and the British army and the fleet to Halifax, to New York, to Philadelphia, to Yorktown and to England. Let me ask you for a moment to follow Rufus Putnam. He served throughout the war. He

was a brave officer. He did his duty faithfully and modestly, to the satisfaction of Washington. There were others more conspicuous at the time — Greene and Gates and Israel Putnam, Marion and Sumter and Schuyler and Arnold. But there is no other man of the time, save Washington alone ; there is no other man in American history, save only Washington and Lincoln, to whom it was given to stand by the current of the great river of history and so to turn that current as to decide the fate of his country and of liberty.

But for Rufus Putnam, as we have seen, the expulsion of the power of England from Boston would have depended on the success of an attack by an inferior and undisciplined army on a strongly intrenched force protected by a powerful fleet. If Massachusetts, which was alike the brain and heart of the Revolution, had been held by the English power, who is bold enough to declare that the Revolution would have succeeded, that Burgoyne would have been stayed on his way to New York, that the communication between North and South could have been kept open, that the French alliance would have been formed, that the courage of the people could have been kept up until victory ?

The next important event in Putnam's life is the fortification of West Point. West Point was to the revolution what Vicksburg was to the rebellion. It kept open the communication between New England and the South, as the command of the Mississippi kept open the communication between the East and the West. It was the very heart and centre of the life and power of our confederation.

Rufus Putnam's great work, which entitles his name to be remembered as one of the very greatest in the history of liberty, is the foundation of Ohio and the saving that vast territory from which afterward came five mighty States to freedom forever.

In 1783 he had in his hands a scheme for the settlement of Ohio by veteran soldiers, the inexorable condition of which was the exclusion of slavery. He pressed that scheme upon Washington and upon Congress until, in the spring of 1788, from his house, now standing in Rutland, he issued the call of veteran soldiers to meet in Boston, organized the company, was chosen its superintendent and conducted the first settlers down the Ohio river to Marietta, who voted that the day of their landing should forever be celebrated as the day when Rufus Putnam founded Ohio.

The action of that one man saved from slavery the five great States, Ohio, Michigan, Illinois, Indiana and Wisconsin, and it is easy to show that but for him the United States to-day would be a great slave-holding empire.

The wife of Isaac Davis said, when her husband was brought home dead from Concord bridge on the 19th of April, "His countenance was pleasant, and seemed little altered." What was it that led him to encounter death with a pleasant countenance that did not change? Warren said when he went into battle, "*Dulce et decorum est pro patria mori.*"

What was it that made it sweet and pleasant for Warren to die for his country? What brought George Washington, that prosperous and wealthy Virginia

gentleman, to Boston? What brought these country farmers from peaceful homes? Was it good government they were seeking? They had the best government, I suppose, then existing on the face of the earth. The yoke of Great Britain on our fathers' necks was easy, and her burden was light. Our fathers were a hundred times better off in 1775 than were the men of Kent, the vanguard of liberty in England. They were a thousand times better off than Ireland was far down within living memory. There was more happiness in Middlesex on the Concord than there was in Middlesex on the Thames.

But our fathers felt that, whatever other conditions might exist, they were a people. For that they fought and for that they were ready to die. They held that the government of one people by another is always and under all circumstances bad government, and never can be, in the nature of things, good government. They enjoyed everything that enters into the definition of liberty but one. They had trial by jury; they had magna charta and habeas corpus; they enjoyed in general the ancient rights of Englishmen in freedom and in honor; they had a King, the object of their willing allegiance.

But they knew that there was no liberty where taxation exists without representation; where one people make laws for another people to obey, and that there is, in the nature of things, no liberty without independence. It was for that they fought. It was for that they died — some of them.

It was for that they drove England out of Boston. The evacuation of Boston was not simply that one flag went down and another flag went up over the Province

House and the Old State House ; that soldiers in homespun followed down to the wharves other soldiers in red coats. On the 18th day of March, 1776, republicanism, under George Washington, drove imperialism, under Sir William Howe, out of Boston, never to come back. And that is the lesson of this anniversary.

It is quite unnecessary to say that this conclusion brought forth great applause, which continued for several minutes after the speaker had become seated.

Toastmaster Martin then introduced the Hon. Charles J. Noyes, a former resident of South Boston and associate justice of the court. He was warmly received, and with the cessation of applause he spoke as follows :

ADDRESS OF HON. CHARLES J. NOYES.

Mr. President, Ladies and Gentlemen: —I sincerely thank you for this kind manifestation. I can hardly express my pleasure at meeting so many old friends and one-time neighbors, at seeing these co-workers in your splendid association, looking into so many familiar faces, and being admitted to so large a share in the services of this hour.

I accepted your committee's kind and courteous, though somewhat tardy, invitation with gladness, and now rejoice in an opportunity to help commemorate such momentous events, and perpetuate such a rich legacy of memories as we celebrate; to study their lessons and profit from their instruction; to aid in the greeting to those who honor the occasion with their presence, and especially in cordial welcome to him who brings here the rarest abilities, the ripest fruits of scholarship and experience, a renown of family name greatly enriched by his own generous

contribution, and a peerless record of exalted public service in which he stands one of the foremost men of his time in any land.

The hour will not permit, nor does my inclination prompt me to indulge in a lengthy recital of the events which make up the siege of Boston. Abler pens and lips than mine have often repeated the pathetic and inspiring story. In the brief time at my command I shall mainly deal with the incidents immediately relating to the evacuation.

It was a glorious Sabbath 125 years ago yesterday to the citizens of old Boston, and the train of events which culminated in that triumph taught Boastful Britain her Puritan colonists were not mere pedlers seeking commercial venture beyond the sea, but children worthy her loins, and capable as she of self-government.

Let us take a pen-picture of the old town during those eventful days. It occupied a pear-shaped peninsula less than two miles in extreme length and a trifle over one mile wide at its greatest breadth, attached to the mainland by a neck so narrow and marshy as to be often submerged by the tide; bordered by a sluggish river and shallow bay on either side, and in front by the irregular harbor studded with beautiful emerald gems and stretching to the open ocean ten miles away. Its mural throne, which gave it name and rendered it conspicuously visible, was surface of bold undulations and sharp declivities, marked by sinuous thoroughfares, lanes and alleys; wide, unfenced spaces in which grew barberry bush, nodding flag and velvety mullen stock in profusion; quaint old nooks and secluded corners, temptations to wandering lovers, and taverns

and "coffee houses," loitering places for the idle or socially inclined ; sequestered resorts for boys or negroes bent on sport or roquetry, and darker hiding places among the wharves ; stately and substantial dwellings, conspicuously located, richly finished and furnished, and surrounded with generous lawns and garden spaces, coach and cattle barns and fields for tillage or pasture.

There were no blocks — every dwelling as independent as its self-respecting owner. The architectural product of the town's century and a half of growth was about 2,000 structures, four being of stone. Of the latter, King's Chapel alone remains. Fronting that great ancestral pasture, the Common, were the uninviting work-house and poor-house. The jail occupied the present site of the old court house. On Park street corner was the Granary, and opposite stood the large manufacturing building converted by the British into a hospital. King and Queen, now respectively State and Court streets, presented the most compactly covered sections, being lined on both sides by dwellings, taverns, stores and offices. The residence furnished the British Governor was opposite the Old South, a stately, commodious mansion, retired from the street, and with a deep, handsomely shaded lawn in front. The Old State House, with a dignity its modern surroundings have effaced, and even its regilded insignia cannot restore, held the halls of the council and representatives, their walls hung with royal portraits and trappings.

This territorial area was peopled by about 17,000 inhabitants, nearly all of one lineage and language with common memories, traditions and interests. They enjoyed their first half century in independence from

foreign control, repudiating, rather than inviting, even in poverty or peril, public aid from abroad ; making and administering their own laws, conducting their own industries and trade unassisted, and fighting their own defensive battles with the hostile savage and with the French and Dutch.

But the time came when English armies began to appear nominally to fight for them in expelling the French, and later the crown asked remuneration, and so a disturbing element to their internal harmony and security was introduced, and households were divided against themselves. They claimed at first to help ; they ended in attempting to have and to hold. The gloved hand of benevolence became the mailed hand of oppression. It has been ever thus with the greed of empire. May the lesson and the warning abide with us forever.

At last king, ministry and Parliament, through official agency, overruled the domestic legislative and judicial functions to an extent that was destructive of provincial patience. Boston was slowly but surely being converted into a miniature vice-royalty. On the wing of subtle but potent influences came in old world interests, manners and fashions, feelings and distinctions inharmonious and ill-adapted to the austere, plain, sturdy, thrifty and frugal ways and methods of a Puritanism which held its independence by traditional right, and could find no congenial companionship with such an element. It has been well said of these sturdy people: " They would bow, but they would not bend. They would petition, but they would not comply. They would chaffer, but ratify no bargain about liberty."

Their prosperous trade had brought them considerable wealth, but the commerce had had a demoralizing influence. It had been largely linked to what the law terms "smuggling" and it left its scars. It is a family history their descendants now struggle to conceal, or deny, while still holding the fruit of their ill-gotten gain in stubborn clutch. About 1,000 vessels cleared from Boston annually, coursing along the coasts and skimming the open sea—parentage of that later merchant service on whose decks were largely bred the heroism and skill that have covered our navy with its imperishable and peerless glory.

Revenue laws, covetous and greedy, were finally imposed by Parliament, designed to restrain this foreign and domestic trade—laws which became too severe and onerous to be patiently borne or long endured. All manufactures, even for the commonest necessities and home consumption, were strictly prohibited, and in this way this unnatural parent sought to force her child into an unequal partnership, which promised neither an increase of capital nor an even share in the profits; and the interference was resented. These enterprising colonists believed themselves competent to conduct their own affairs, keep their own accounts and maintain their own interests. Three centuries are eloquent witnesses to their capacity and that of their lineal and adopted descendants and successors.

These conditions were the fruitful soil wherein rooted our mighty and majestic liberty-tree, whose ripened product will yet litter the orchard floors of every clime, and give grateful and healthful shelter to every child of God's right hand.

As the day of final contention approached three classes were gathered within the old town's limits. They were the ardent Royalists, consisting of the town officials, their relatives, retainers and dependants, and those merchants whose trade interests were more closely allied to England than to America. Next came the cautious timeservers, with fond clings to the mother country and grave misgivings as to the problematic future of her half-rebellious daughter, who shrank from openly committing themselves further than by prudent remonstrances and timid advice. Lastly there were the high-minded, true-hearted, faithful, liberty-loving few whom events had long been moulding into stubborn rebels and revolutionists.

Without were the intrepid patriots engaged in the grim and gloomy service of investing their own homes and possessions against an enemy who held them in thrall.

Rarely has the history of a beleagured town, or fortress, on land or sea, presented such a scene. Generally the enemy has been without, and those within have been the defenders of their own homes ; here the conditions were singularly reversed. In a masterly treatment of this very topic an eloquent orator said :

“In this warring and distracted world, sieges, the beleaguering of towns, cities and fortresses, by forces on sea or land, form one of the largest and most exciting elements of all history. * * * Stories of skilful manœuvre and artful stratagem, stories of harrowing suffering and of sublime heroism, wrought into thrilling narratives of prose or sung in the music and rhythm of immortal poetry, rehearse for us the literature of sieges.”

It was a long and glorious history he recalled, stretching from Babylon to Motley's tragic story of the Netherlands ; but in the issues at stake or the final results involved as effecting that wonderful drama on the stage of a mighty continent, of which this was the opening scene, no one of all his list equals this in importance to the destiny of the human race. Nowhere else, in all recorded time, will you find a sublimer instance of marvellous patience and self-restraint, such intelligent shrewdness and forethought, such plucky endurance and determination, such courage, constancy and devotion as here met every new emergency with increased fortitude and wisely provided an efficient and adequate remedy.

Great events followed each other in rapid succession, and novel and important questions pressed constantly for settlement ; but without undue haste and in wise and prudent fashion, by that simple method of the "town meeting," the purest and safest form of local government man's wisdom has ever devised, these problems were answered, and these events turned to good account.

And when the angry contention, embittered by that famous "tea party" in our harbor, culminated in the vindictive Parliamentary act which tightly closed every provincial avenue to trade or intercourse by water, all friendly ties were rudely sundered and those muffled church bells rightly tolled the knell of the old relation between England and her American colonies.

Perhaps it isn't the only time when a tea party has occasioned irritation and trouble.

That revengeful measure put the starving town in a pitiful condition, which called for immediate relief, and when its cry of distress reached the other colonies then began that bond of sympathy and mutual interest on which was afterward reared this majestic union of States; hence arose that succession of measures fittingly initiated in the Massachusetts Assembly, convened behind closed doors at Salem, which ended in a Continental Congress.

The twilight shadows had hardly begun to fall upon the bloody sod of Lexington, or creep beneath that historic bridge at Concord, when laborers in the coarse garb of the field and shop began to gather in miscellaneous groups about the marshes and on the hillsides encircling the town. They came on foot and by every method of rustic conveyance, from varying distances, armed with such rude weapons and furnished with such coarse rations as their meagre household stores could supply, and they occupied at length every available foot of soil on the surrounding territory, determined to invest their own metropolis and menace, or possibly expel, its invaders.

For months of weary days and sleepless nights this Spartan band maintained a constant vigil, without change save in substitution of individual membership or materials, until the surrender. The inspiring scene has been pictured in language more vivid than any at my command, and I borrow it for use here:

“The picturesque groups in the homely array of the farm or the workshop, with arbors or shanties and an occasional tent extemporized from a fishing smack, as seen from a quiet distance might have suggested a gypsy encampment or a spring picnic. But they

stayed there so long and to such purpose, with such a work to do, and under the training of such a master mind and hand, as to become an army, uniformed, drilled, disciplined and officered for a campaign after the stern method of war. * * * The invading forces were held to their contracted quarters, and henceforward were deprived of vegetables and fresh provisions, except such as they could seize from the islands or obtain by a supply vessel. Then came the aggravation of the miseries of the patriotic inhabitants of the town, insulted by the military, sneered at by their own fellow-citizens—who boastfully held, as Royalists, to what they trusted was to be the winning side—straitened for the usual supplies of life and reasonably apprehensive of pestilence and famine within and of a full share in the perils of an assault from their friends without.

The burden of distress and dread, under these awful conditions, became at last so great that an appeal was made to General Gage for permission to leave. Exact-ing a covenant that they should surrender their arms and when outside would not take part in any assault upon the town, he gave a reluctant and half-insincere consent. Many willing to desert their homes and possessions and to seek safety outside under these humiliating conditions gave up their weapons and prepared to go.

But the treacherous, or, at least, inconstant commander faltered in his part of the covenant and finally recanted. But the exigencies soon became so pressing that he was glad to rid himself of the poor and infirm, the sick, women and children; and he let them depart. But all of those toward whom he entertained the least

suspicion of patriotism he forced to remain. So household ties were sundered, household circles broken ; the dependent were often left to themselves, and the feeble made to suffer.

Since Pharaoh listened to his cruel heart and wicked counsellors, and Israel began its weary exodus, no page of history presents a community of similar size, shattered and torn, distracted and riven in utter wretchedness to a greater degree than were these beleaguered patriots under such rueful experiences. Here they were compelled to remain, as hostages for their invaders' safety, amid shattered household altars and trades and industries completely paralyzed ; their homes invaded, their sanctuaries defiled, their schools closed, their Sabbath observances profaned, their habits of order and discipline discredited, and their safety imperiled.

Still, we can believe their stern lips uttered little, if any, complaint, nor did their brave spirits falter, for we are told that no temptation of wage or reward was potent enough to engage the poorest or meanest mechanic or carpenter in building barracks to shelter the red-coated invader from the blasts of a New England winter.

In that harsh school of discipline, American heroism was educated, American oratory was stimulated, and American statesmanship was trained. Thank God, some of it remains to our day.

It was indeed a motley collection of uneducated soldiery that gathered to save the old town. Its companies were fragments ; its regiments were the merest skeletons ; its officers were but village favorites, selected by local partiality and hampered by a com-

mon familiarity which was destructive to discipline. Consequently, all attempts at the enforcement of subordination or the adjustment of rank on any substantial lines met at once with stubborn dissension and bitter jealousies. These hastily extemporized soldiers claimed the liberty of going and coming at pleasure, and this restless disposition rendered them an inconstant and unsteady force. But over it all was the masterly mind and hand of Washington. Trained to some military experience in the wilderness of Virginia, he here learned the art of war. With this wavering and uneven force he was in constant peril and dread of successful attack, and had not his adversary greatly over-estimated his strength I fear the history of that period would not invite the celebration of this evening.

The patient, intrepid commander, in a letter to Congress, tells the impressive story. He says:

“It is not in the pages of history, perhaps, to furnish a case like ours. To maintain a post within musket-shot of the enemy for six months together without powder, and at the same time to disband one army and recruit another within that distance of twenty odd British regiments, is more, probably, than ever was attempted.”

It was indeed a vast and dubious undertaking, and well might his sore distress of mind prompt him to confess to a confidential friend: “I have many an unhappy hour when all around me are wrapped in sleep.”

But the mighty task was accomplished seasonably, and with that consummate prudence, tact and skill, so conspicuously characteristic of his long and illustrious career, and which, in any group of military heroes, would easily render him one of the colossal figures of the world.

But to the work here in South Boston is due more largely than to any other the result we commemorate. The chief strategic points constantly kept in view were here. Two towered within easy sight of this spot, near the sights of the reservoir and the blind asylum; the other, known as Nook's hill, further away from us, but in that day nearest the enemy and capable of commanding his entire encampment, was located on the present site of the Lawrence School-house. So systematic and thorough were the plans and preparations for possessing these heights, and so skilfully were they executed, that their frowning battlements threatened the security of General Howe before he suspected their existence. Those structures grew in the silence of a night, like that famous temple of old, without perceptible "sound of hammer or other metal tool" or instrument, and in manner as if some Aladdin's lamp had there wrought its wondrous charm. Patient oxen brought the material over frozen ground that had no echo to give back to muffled wheels, and the cunning drivers urged their beasts in whispers; the willing hands of diligent workmen hastened the construction, distant cannon distracted the enemy's attention, the shadows of night hid the operations, and when morning came the forts were prepared to tell, if necessary, their mission with brazen lips. It is not wonderful that on seeing them the British general scratched his head and exclaimed:

"I know not what I shall do. The rebels have done more in a night than my whole army would have done in one month."

To a Boston merchant belongs the credit of sug-

gesting, and to the citizen soldiery of that day of improvising, a novel method of defence in the shape of barrels filled with earth, and placed about the fort, ready to be hurled against an advancing foe, which drove a terrified British invader forever from New England soil, and sent him to people in Halifax with his fugitive band of contemptible Tories. No wonder one of them, writing in President roads, on the eve of departure, uttered the sentiment that "neither hell, Hull or Halifax could afford worse shelter than Boston." We rejoice exceedingly⁴ to-day in the thought whether the author of that saying ever became competent to judge of all three places or not.

But what a glorious night it was. What favoring conditions for such a bold enterprise. In her queenly beauty the full moon walked those starry courts and smiled benignly down as if in approval of the work. The air, unusually mild for that season, was not too chilly when tempered by exercise. A gracious veil of haze hung over the town and lowlands, and hid these operations from the watchful sentries of the enemy. And not till long after daybreak were the works disclosed to the astonished gaze of the British.

General Howe was now convinced that he must at once dislodge the intrenched rebels, or evacuate the town. In his impotent and blind fury he loaded some transports with 2,400 soldiers under Lord Percy, and embarked them on the hazardous enterprise. In a gathering storm they sailed out as far as Castle Island and waited, but the gale increased, drove a part of the fleet upon Governor's Island and wrecked it, and the venture was abandoned.

Preparations were now begun to evacuate. Who will say "God was not with our fathers?"

I would I had time to relate the scenes, ludicrous and melancholy alike, incident to that hurried departure, but the occasion forbids. It has been often told, and the story should be in the memory of every American youth. Its lessons are a solemn and priceless legacy.

The old town was now restored to its rightful possessors, marred, however, by pestilence and plunder. Haggard faces and wasted forms wandering along its streets or crouching in its dismantled homes told too plainly their tale of sorrow and suffering during the siege, and only pallid lips and feeble tongues were left to utter faint whispers of joy at their deliverance.

In their precipitate flight the invaders lost much by destruction, and left far more valuable stores behind them than they were able to carry away. In the face of a contrary wind they were delayed and were forced to choose the Puritan Saturday evening, midnight and early Sunday morning for embarking.

Once afloat in their dismantled, encumbered and overcrowded vessels, they remained some days in the outer harbor, watched rigidly from every point of lookout ashore and the decks of Yankee skippers till they disappeared forever from Massachusetts bay. It was such a scene of heroism and suffering, of crime and cowardice, as might well engage the pen of a Hugo or the pencil of a Hogarth.

Inspired by its memories, instructed by its lessons, and sharing in its results, may we see to it that those lessons shall not be in vain, and that those results shall

ever stand unimpaired, a blessing to us, and a precious legacy to all coming generations.

God help us to be true to duty and the right.

Like the previous speaker the Hon. Charles J. Noyes was accorded an ovation at the conclusion of his remarks. Toastmaster Martin then introduced Mayor Hart, who was also warmly received. He made a brief speech and to the point.

MAYOR THOMAS N. HART.

My duty is a pleasant one and a very short one. I come here to congratulate your association upon the effect of to-day's work. When your committee and the committee of the City Government asked me to approve \$7,000 for to-day's celebration, I thought it was a large sum of money for the day. I think it is very small now.

When your committee said that we were to order 100,000 medals for every school child in Boston I said that meets my approbation and takes half of the money. At another time it was asked: "Are these medals to be given to only the school children of Boston, meaning the public school children?" Some one said: "We are to recognize a portion of the parochial schools." I said: "Every school child in Boston must have a medal."

I have only this to say, Mr. Toastmaster, I congratulate you upon to-day's work. I hope that in another year and that in twenty-five years you will have a celebration that will outdo this one.

Congressman Naphen was then presented.

CONGRESSMAN NAPHEN.

To the east of our noble state capitol, on the eminence, where in colonial days the beacon light wel-

comed the home-coming mariner, there rises a shaft commemorative of the great events that lead up to the independence of the colonies. On it we read these words : —

“ Americans
while from this eminence
scenes of luxuriant fertility
of flourishing commerce
and the abodes of social happiness
meet your view
forget not those
who by their exertions
have secured to you
these blessings.”

All around it are seats of learning, libraries, business houses and private residences. Activity is seen on every side, and where the single light stood so many years ago the hurrying throng passes to and fro during every hour of the busy day ; perhaps a stray one here and there reads the inscription, reflects on the changes of one hundred and twenty-five years, and remembers “ those who by their exertions have secured these blessings,” to which we have fallen heir. In the whirl of affairs we do not stop to think of all these things, but to-night we put aside the cares of our ordinary business and give ourselves up to the contemplation of such thoughts.

It is not for me to recount the history of the day we celebrate, or the events that lead up to it. Nor indeed is any speech necessary to rouse you to the significance of this day.

This representative gathering proves that the patriotic spirit needs no awakening in South Boston.

Liberty's fires burn here as brightly as they did in the old days, when the beacon light flashed out from yonder hill.

This spirit is characteristic of our district ; but it is only on such an occasion as the present one that its full strength is manifest. We are proud of South Boston, proud of its good men and women, and proud of the loyalty of its people that has never failed when city, state or nation called.

We are proud also of the fact that it was from Dorchester Heights and Nook Hill, which are a part of us, the cannon frowned on the picked soldiers of England, who lost no time when they realized their danger, hastily to leave the soil of Massachusetts, never to return.

We have on many occasions entertained men of eminence, but to-night, it is our good fortune to have with us, among the distinguished guests, one who is foremost among the public men of to-day, — our Senior Senator. Massachusetts has been represented in the Senate of the United States by a galaxy of able men, who have left their imprint on the legislation of the country, and have made our Commonwealth a power in the counsels of the nation. Among them three names stand out pre-eminent, — Webster, Sumner, Hoar. The name of each is associated with some great cause in which the rights of human kind are concerned. Their public lives are, and will be, part and parcel of the history of the republic. Webster and Sumner have passed away. Our honored guest lives — lives in the hearts of the American people. Far distant be the day when his wise counsel may be lost to his countrymen.

In the words of our own poet, Holmes, —

“ His the stainless shield,
No shame defaces and to envy mars;
When our far future record is unsealed
His name shall shine among the morning stars.”

We may with propriety consider briefly who they were who stood here one hundred and twenty-five years ago, — recall what they accomplished, note what they have left us, and realize what there is for us to do that the great work may not falter. The great Washington was here, Putnam, Moylan, Stark, Knox, Sullivan and Ward were here. We can look back to-night through the mists of all these years, and call up before us the inspiring picture which greeted the eyes of the commander-in-chief of the American forces on that memorable morning. First his anxious eye skims along his own hastily constructed ramparts, manned by his sturdy farmers, — brave, loyal, resolute, and determined, yet unskilled in warfare, and unused to the discipline of the camp or the field. From Roxbury and Charlestown, the hardy patriots have circled the captive town. They have imprisoned the hostile army.

The great commander knows the strength of his position, but he fears the inexperience of his men. Can they hold their works against the trained army before them, in the contest that cannot now be long delayed? It is true they stood their ground well at Lexington, Concord and Bunker Hill, but the same difficulty that met them there confronts them now, — their powder is scarce. It will not hold out through a prolonged battle. And if the enemy should break through his lines and route this little army, what would become of

the patriot cause? What of the independence of the colonies, what of the men who should be taken in arms? It would mean the death of all his hopes for his country's freedom, and the scorn of those who could not know, or would not understand, the difficulties under which he labored. And what would history say of him, — the fallen leader?

These and kindred thoughts doubtless sweep over his mind, as he surveys his forces ; and then he turns his gaze on the town below him. There are signs of activity along the harbor front ; men are marching to and fro ; boats are plying between the shore and the war vessels lying at anchor ; everybody is astir. Doubtless his hand feels for his sword, and his lips start to frame some words of command ; but a second gaze satisfies him that the marching men have no hostile intent. What does all this commotion mean? Does it mean that this splendid army, the flower of the English armed strength, is to turn its back on the town where it has been indulging in luxurious ease and disgracefully yield it up to the despised farmers they had driven before them at Bunker Hill?

There was no other explanation. The British army had feasted too long. The humble farmers had been slowly, but steadily, weaving their web about them, until at last the victims were securely caught ; retreat was cut off by land. Supplies were only to be had from England, and these would be too long in reaching them. There was nothing for them to do but fly, and this they did. The English marched out and the Americans marched in to the tune of "Yankee Doodle Dandy," and from that day to this "Yankee Doodle" has been the patron saint of every American school boy.

Boston breathed freely once more, for the first time since the odious tea tax. Her citizens walked the streets in safety ; there was no red-coated soldiery to molest or disturb them ; a great change came over the town and its inhabitants ; from a dissipated, despairing people, there was a new birth of hope, and the dawn of freedom seemed nearer.

You know the rest, — how from Boston the good news spread over the country ; how the fires of patriotism, which had been allowed to smoulder by the inactivity of the American army, were rekindled by this bloodless victory. All Europe was astonished. The national pride of England was sorely wounded. It was a glorious triumph.

To-day the tramp of marching feet is heard in the city. Again vessels of war are in the harbor ; but we have no fear, no suspense, — we are secure of our position. We know that the marching men are our own flesh and blood ; no enemy lurks in the city ; the booming cannon are manned by our own friends. The mighty vessels of war are “our country’s own means of distinction and defense,” and the flag which floats over us is not the flag of thirteen stars, but the flag of forty-five stars ; not the flag of a people struggling for independence, but the flag of the mightiest and noblest nation on the face of the earth.

The light on the hill does not burn to-night, but the light of the example of the men of ’76 lives, and will live throughout all ages.

They secured the independence of the colonies and the establishment of this great structure of government, the freest, the broadest and the best that the sun of heaven shines upon. It is an enduring monument to

the skill and sagacity of its builders. They bequeathed to us the Declaration of Independence and the Constitution, — which, in the words of Sumner, are “the two immortal title deeds of liberty.” They laid the foundations of a government where every man is the peer of his neighbor ; where the boy of the tow-path of to-day may become President of the Republic to-morrow, and they left us also a vigorous, healthy, public spirit and love of country that shall never die.

It is for us to perpetuate their memory by maintaining the principles for which they offered their lives, so that the same freedom which we enjoy may be the heritage of every human being coming within the protection of our flag.

Let us see to it that our flag shall stand for liberty and right at all times ; that it shall be pure and clean, unmarred by dishonor and untarnished by injustice. Thus we will preserve for our posterity “the blessings which have been secured to us,” and “while the earth grows a plant or the sea rolls a wave” we shall remain not only a nation among the powers, but a power among the nations.

The following ode was then read by Mr. Charles P. Anderson :

ODE TO PATRIOTISM.

BY CHARLES P. ANDERSON.

To Thee, O Patriot, to-night we sing —
Through endless years thy works shall shine;
With hearts aflame our voices ring —
Our lives, our rev'rence, all are thine!

Thy precepts yet our steps will lead;
Thy blood commingles still with ours;
We glory that each noble deed
Shall brighter grow while time endures.

We kneel beneath yon sacred hill,
On whose high crest was Freedom born!
Where rose the Flag, untarnished still,
Upon the breast of sunlit morn.

And soul to soul our tributes raise
To thee who led our footsteps right —
We proudly give our meed of praise —
Thy courage triumphed over might!

O Patriot grand, thy deathless fame,
Emblazoned high, our paths shall show
The way, which, trodden in thy name
With love and loyalty will glow!

COPIES OF LETTERS OF REGRET TO ATTEND EVACU-
ATION DAY CELEBRATION.

OYSTER BAY, L. I., February 27, 1901.

MY DEAR SIR, — I wish I could accept, but it is simply out of the question. I have more on my hands now than I can begin to attend to.

With regret, sincerely yours,

T. ROOSEVELT.

NAVY DEPARTMENT, WASHINGTON, March 11, 1901.

JOHN H. MEANS, Esq., *Pres. S. Boston Citizens' Asso'n,*
South Boston.

DEAR SIR, — I am in receipt of the kind invitation of the South Boston Citizens' Association to attend a banquet to be given on the 125th anniversary of Evacuation Day on the evening of the 18th instant, and I regret that, as I shall not be able to go to Boston at that time, it is impossible for me to accept.

I thank you, however, for your courtesy, and I am,

Very truly yours,

JOHN D. LONG.

[Personal.]

UNITED STATES SENATE,
WASHINGTON, D.C., March 2, 1901.

MR. JOHN H. MEANS, *South Boston Citizens' Association,*
Boston, Mass.

MY DEAR SIR, — I have your letter of February 28, and I am very much obliged to you by your kind invitation to deliver an address at the celebration of the one hundred and twenty-fifth anniversary of the evacuation of the City of Boston by the British. I wish very much indeed that I could accept and be present, for I would like to come, but the Senate will in all probability still be in extraordinary session at that time, and

that being the case it will be impossible for me to leave Washington.

I regret very much that I must decline your invitation.

Very sincerely yours,

JOHN H. MEANS, Esq.

H. C. LODGE.

COMMONWEALTH OF MASSACHUSETTS,
[STATE SEAL.] EXECUTIVE DEPARTMENT,
BOSTON, March 11, 1901.

Mr. JOHN H. MEANS, *President South Boston Citizens' Association.*:

MY DEAR SIR,—I beg to acknowledge receipt of the kind invitation of your association to be present at the celebration of the 125th anniversary of Evacuation Day on the evening of Monday, March 18, and regret extremely to be obliged to say in reply that owing to the great pressure of my official duties it will not be possible for me to accept.

I thank you for the courtesy of your invitation, and beg to remain,

Yours very truly,

W. M. CRANE.

[E. B. W.]

NEW YORK CITY.

Mr. JOHN H. MEANS, *Pres. So. Boston Citizens' Asso.:*

DEAR SIR,—Being absent from the city for a few weeks I am obliged to decline your kind invitation for the evening of March 18.

Wishing you all success in your celebration, I am,

Very truly yours,

ELEANOR B. WHEELER,
*Regent Dorchester Heights Chapter,
Daughters of Revolution.*

March 14, 1901.

AMERICAN IRISH HISTORICAL SOCIETY,
40 EAST 68TH STREET, NEW YORK,
March 15, 1901.

I regret that a previous engagement for the evening of March 18 compels me to decline the kind invitation extended to me to be present at the banquet of the South Boston Citizens' Association. Accept my best wishes for a successful and pleasant evening.

Respectfully,

JOHN D. CRIMMINS,
President.

STATE OF NEW HAMPSHIRE,
INSURANCE DEPARTMENT,
JOHN C. LINEHAN,
Commissioner.
CONCORD, March 14, 1901.

Mr. JOHN H. MEANS, *Pres. So. Boston Citizens' Association:*

DEAR SIR, — I am under obligations for invitation to attend the 125th anniversary of Evacuation Day, on Monday evening, 18th instant.

A previous engagement will prevent my acceptance, but I want to thank you for kind remembrance.

March 17, 1776, marks the departure of British troops from Boston; March 17, 1901, marks the departure of British industrial competition from the United States; may the departure of both be final, and may our government remain forever what it is to-day, the freest, the most tolerant, the most enlightened, the most humane, and the most truly religious on earth.

Sincerely yours,

JOHN C. LINEHAN.

THE WASHINGTON MEDAL.

Copy of a Gold Medal presented to General Washington by
Congress on the Evacuation of Boston.



1. — Arms of the Washington Family obtained from the Herald's College, London.

2. — Copy of General Washington's Seal.

THE WASHINGTON MEDAL.

The gold Medal commemorative of the Evacuation of Boston became the property of George Steptoe Washington, the son of Samuel Washington, who was the General's elder brother. The next owner of the Medal was Dr. Samuel Walter Washington, eldest son of George Steptoe Washington. On the decease of the doctor at Hasewood, Virginia, in 1831, his widow became possessed of the relic. She is still living. She had given it to her only son, George Lafayette Washington, who had married the daughter of her brother, the Rev. Dr. John B. Clemson, of Claymont, Delaware. On the recent decease of George Lafayette Washington, the Medal became the property of his widow, Mrs. Ann Bull Washington, from whom with proper certificates and vouchers, by the generous co-operation of fifty citizens of Boston, it has now been secured to the permanent ownership of this city, with which it is so gratefully identified, and has been deposited in the Public Library.

Thus it appears that the Medal has been transmitted through the descendants, in successive generations, of General Washington's elder brother. They have fully appreciated its intrinsic and symbolic value, and have anxiously taken care for its safety under the risks and perils which have attended its preservation. It is, itself, a most beautiful and perfect specimen of workmanship of the die and the mint, and is without a blemish or any perceptible wear of its sharp outlines. During our civil war its then owner, George Lafayette Washington, was residing eleven miles from Harper's Ferry, on the main route to Winchester, where the belligerents held alternate possession. The Medal, in its original case of green seal-skin, lined with velvet, was enveloped in cotton, and, deposited in a box, was buried in the

dry cellar of a venerable mansion where General Washington usually spent many months of the genial portion of the year. The original case, which fell into decay by this exposure, accompanies the Medal in its present repository.

The successive owners of this precious heir-loom have often been solicited to part with it by private importunity, or for public institutions, but have always declined to do so, having in view that if ever it passed out of their hands it should be to find its resting-place in the City of Boston. The losses to which its owners were subjected during the late war, concurring with the interest of the occasion of the centennial day which it commemorated, combined to induce the measures which have had such a felicitous result.

A member of the Washington family residing in Texas, being aware of the willingness of his kinswoman in Delaware to part with the Medal, on the conditions just referred to, addressed a letter, on the 6th of last December, to his Honor, Mayor Cobb, making proposals to bring about the intended object.

As the Mayor did not judge it expedient to propose any official action to the city government, he consulted with the Hon. Robert C. Winthrop on the subject, who immediately prepared a subscription paper, which he, with the hearty co-operation of the Mayor and of ex-Mayor the Hon. Otis Norcross, succeeded in having filled to the necessary amount.

While this measure was in progress the Rev. Dr. Clemson, the uncle of the late George Lafayette Washington, and the father of his widow, Mrs. Anne Bull Washington, not being aware of the facts just stated, on February 22, 1876, addressed a letter to the Hon. John C. Park, of this city, opening a direct communication between the owner of the Medal and those who were interested in its transfer. In this letter Dr. Clemson writes: "I might state that the Medal was verbally purchased by Governor Andrew, of your State, and on this honored day [the birthday of Washington] was to have been presented to your citizens. But his premature death prevented the consummation."

This Medal, of which a description will be found in the following pages of this volume, was the only gold medal given by Congress to General Washington. Between the date of March 25, 1776, when this gift was bestowed by a resolve of Congress, and the year 1786, by votes of the same body, a series of ten more gold medals was struck at the Paris mint commemorative of the great events and the great men of the War of the Revolution. The French Government presented a set of these in silver, including also one in the same metal of that which had been given to him in gold, to General Washington. It is asserted that they were prepared substantially under the direction of Lafayette. This series of eleven, known as the "Washington Medals," on the decease of the childless General, were disposed of with other similar treasures, under the direction of his administrator, Judge Bushrod Washington, among the heirs-at-law. They afterwards came into the possession of the Hon. Daniel Webster, and, soon after his decease, into the hands of his friend, the Hon. Peter Harvey, of Boston. This gentleman, in April, 1874, most generously bestowed them upon the Massachusetts Historical Society, in whose cabinet they are now gratefully treasured. Thus all the "*Washington Medals*" are now in the City of Boston.

PROCEEDINGS OF THE CITY COUNCIL RELATIVE TO THE
WASHINGTON MEDAL.

At a meeting of the Board of Alderman, March 20, 1876, the following communication was received:—

EXECUTIVE DEPARTMENT, March 20, 1876.

TO THE HONORABLE THE CITY COUNCIL:—

Gentlemen,—It affords me much pleasure to inform you that the gold Medal presented to General George Washington by the American Congress in 1776, commemorative of the evacuation of Boston by the British troops, was recently purchased of the

Washington family by a few of our citizens, to be given by them to the City of Boston and preserved in the Boston Public Library. This most valuable relic, so peculiarly interesting to Boston as commemorating the most important event in her history, has been placed in my hands, and by me transferred to the Trustees of the Public Library, in whose custody it is to remain, in accordance with the wishes of the donors. A copy of the subscription list, with the preamble stating the object of the subscription, is enclosed herewith.

SAMUEL C. COBB, *Mayor*.

THE LEAVE-TAKING AND EMBARKATION.

THE LEAVE-TAKING AND EMBARKATION.

The following extracts from British sources give us authentic information concerning the last days of the occupancy of Boston by the royal army. Almon's "Remembrancer" (Vol. III., pp. 106, 107) published a letter "from an officer of distinction at Boston to a person in London," under dates from March 3d to 10th.

"*March 3d.* — For these last six weeks, or near two months, we have been better amused than could possibly be expected in our situation. We had a theatre, we had balls, and there is actually a subscription set on foot for a masquerade. England seems to have forgot us, and we have endeavored to forget ourselves; but we were roused to a sense of our present situation last night, in a manner unpleasant enough. The rebels have been, for some time past, erecting a bomb battery, and last night began to play upon us. [From Lechmere's Point.] Two shots fell not far from me. One fell upon Colonel Monekton's house, and broke all the windows, but luckily it did not burst till it had crossed the street. Many houses were damaged, but no lives lost. We expect some carcasses to-night, if the fear of destroying their own property does not prevent it. What makes this matter more provoking is, that their barracks are so scattered, and at such a distance, that we can't disturb them, although from a battery near the water side they can reach us easily.

"*March 4th.* — If something is not speedily done His Britannic Majesty's American dominions will probably be confined within a very narrow compass. The rebel army is not brave, I believe, but it is agreed on all hands that their artillery officers are at least equal to our own. In the number of shells that they flung last night not above three failed. This morning we flung four, and three of them burst in the air.

"*March 5th.* — This is, I believe, likely to prove as important a day to the British empire as any in our annals. We underwent last night a very severe cannonade, which damaged a number of houses, and killed some men. This morning, at daybreak, we discovered two redoubts on the hills on Dorchester Point, and two smaller works on their flanks. They were all raised during the night, with an expedition equal to that of the genii belonging to Aladdin's wonderful lamp. From these hills they commanded the whole town, so that we must drive them from their

post or desert the place. The former is determined upon, and five regiments are already embarked. A body of light infantry, under the command of Major Musgrave, an excellent officer, and a body of grenadiers, are to embark to-night at seven. I think it is likely to be so far a general affair, that we shall take our share in it. Adieu, balls, masquerades, &c., for this may be looked upon as the opening of the campaign.

"It is worth while to remark with what judgment the leaders of the rebels take advantage of the prejudices, and work upon the passions of the mob. This 5th of March is the anniversary of what they call the Bloody Massacre, when, in (I think) 1769, the king's troops fired on the people in the streets of Boston. If ever they dare stand us, it will be today; but I hope to-morrow to be able to give you an account of their defeat.

"*March 6th.* — A wind more violent than anything I ever heard prevented our last night's purposed expedition, and so saved the lives of thousands. To-day they have made themselves too strong to make a dislodgement possible. We are under their fire whenever they choose to begin; so that we are now evacuating the town with the utmost expedition, and are leaving behind us half our worldly goods. Adieu! I hope to embark in a few hours.

"*March 7th.* — When the transports came to be examined they were void of both provisions and forage. If any are got on board to-day it will be as much as can be done. Never were troops in so disgraceful a situation, and that not in the least our own fault, or owing to any want of skill or discretion in our commanders, but entirely owing to Great Britain being fast asleep. I pity General Howe from my soul.

"*March 9th.* — *Transport.* — I have slept one night on board; the troops are embarking as fast as possible. I mistook when I imagined the works already made could destroy the town; but the rebels possess a hill so situated, that if they pleased to erect a battery it would entirely consume us. They as yet have not proceeded to make a work, nor do they attempt to molest us in our embarkation. It appears as if there were at least a tacit agreement between Washington and General Howe.

"*March 10th.* — To-day the horse transports are ordered to pull down to Castle William, a fort about three miles from the town in our possession; it commands the harbor, and the troops now here will embark the last. The retreat from the town is to be covered by a large body of grenadiers, and light infantry, and the 5th and the 10th Regiments. The Fowey, a man-of-war of twenty-eight guns, covers the retreat by water. A packet is to sail, I hear, as soon as the army is clear of the town; so probably I shall not have it in my power to inform you whether we are attacked in our retreat or not.

"*Nantasket Road, March 17th.* — Our retreat was made this morning between the hours of two and eight. Our troops did not receive the smallest molestation, though the rebels were all night at work on the near hill, and we kept a constant fire upon them from a battery of four twenty-four pounders. They did not return a single shot. It was lucky for the inhabitants now left in Boston they did not. For I am informed everything was prepared to set the town in a blaze had they fired one cannon. The dragoons are under orders to sail to-morrow for Halifax,

a cursed, cold, wintry place even yet. Nothing to eat, less to drink. Bad times, my dear friend. The displeasure I feel from the very small share I have in our present insignificancy is so great that I don't know the thing so desperate I would not undertake in order to change our situation."

From the "Remembrancer," III., 108. "A passenger from Boston gives the following account":—

"On the second of March the provincials began to bombard the town from a place called Phipps' Farm, and on the third they opened a 24-pound battery on Dorchester Neck, which annoyed the army exceedingly. On the fifth, Gen. Howe embarked six regiments to attack this battery, but a strong easterly wind preventing the men-of-war from covering or supporting them, it was thought advisable to desist. The next day he renewed the attempt, but found the work so strong that he returned without effecting anything. In the meantime, the provincials had thrown near a hundred bombs into the town, and fired with considerable execution from their battery. Gen. Howe, therefore, got some of the selectmen to go out to Gen. Washington to inform him that, if firing continued, he must set fire to the town to cover his retreat. Two of the selectmen returned, and having communed with Gen. Howe, went back, and the firing immediately ceased.

"Gen. Howe then began his embarkation. The refugee inhabitants went first, not being suffered to carry anything but necessaries. The mortars and heavy artillery could not be embarked; these therefore, they endeavored to burst, by charging them full with powder, and firing it off. But this did not answer their wishes. They attempted also to destroy all the small arms belonging to the town. While this work was going on, a deserter from the provincial camp informed Gen. Howe, on the tenth, that Gen. Washington was preparing for a general storm. Upon this intelligence, the General and all the troops immediately embarked, leaving the artillery, stores, etc., damaged only, as the hurry and confusion would permit.

"It now appeared, by the movements of the provincial army that they were taking stations upon Hogg and Noddle's Islands, and preparing to attack Castle William. If they had succeeded in this, they would have had the command of Boston harbor, and destroyed the fleet. Gen. Howe, therefore, dismantled and blew up Castle William, and then fell down with the whole fleet into Nantasket road, which is an open and exposed station. The transports were mostly small schooners, under the protection of three men-of-war. March is the most tempestuous month of the year upon the American coast, so that without a miracle this wretched fleet must be dispersed and lost. It is impossible that more events could concur to render their distress complete, and their ruin almost inevitable. The terms of agreement between the two Generals were secret; but it is supposed that nothing was to have been destroyed, and that this breach of it determined the provincials to enter the town sooner than was intended."

"*Cambridge March 27.* — Among other commodities belonging to the late garrison at Boston we have got their orderly-book, by which it appears that Gen. Howe had 7,575 effective men, exclusive of the staff, so that with the marines and sailors he might be considered as 10,000 strong."

From an officer of a ship-of-war, Boston harbor, March 23 : —

"The bay swarms with American privateers, but we hope to protect the transports, which are daily expected from the West Indies, and to send them safe to Halifax."

"Extract of a letter from Boston. His Majesty's ship *Chatham*, March 24, 1776." (Almon, III., 107) : —

"The retreat of the troops from this garrison cannot fail to be differently represented in England, for which reason I have found time, from our great hurry, to give you some account of it. In the first place, the General not receiving any letters or dispatches from government since the middle of October, could not fail of making everybody very uneasy. It looked as if we were left destitute, to get out of a bad scrape as we liked best. Our provisions falling short, added to our discontents. The fleet afforded us no relief. Little indeed was in their power; their own ill equipment was enough to make them as dissatisfied as ourselves. The provincials, who knew exactly the state of our garrison, harassed us from their batteries, with an intention of making our people more dissatisfied in hopes of desertions. Finding no probability of supply, and dreading the consequences of further delay, it was thought prudent to retire to the ships, and to save what we could. Our not being burthened with provisions, permitted us to save some stores and ammunition, the light field-pieces, and such things as are most convenient of carriage. The rest, I am sorry to say we were obliged to leave behind. Such of the guns as by dismantling we could throw into the sea was done so; the carriages were disabled, and every precaution taken that our circumstances would permit, for our retreat was by agreement. The people of the town who were friends to government, took care of nothing but their merchandise, and found means to employ the men belonging to the transports in embarking their goods, by which means several of the vessels were entirely filled with private property instead of the king's stores. By some unavoidable accident, the medicines, surgeons' chests, instruments and necessities were left in the hospital. The confusion, unavoidable on such a disaster, will make you conceive how much must be forgot where every man had a private concern. The necessary care and distress of the women, children, sick and wounded, required every assistance that could be given. It was not like breaking up a camp, where every man knows his duty; it was like departing your country, with your wives, your servants, your household furniture, and all your incumbrances. The officers, who felt the disgrace of their retreat, did their utmost to keep up appearances. The men, who

thought they were changing for the better, strove to take the advantage of the present times, and were kept from plunder and drink with difficulty. In bad plight we go to Halifax. What supply we are to expect there I do not know; our expectations are not very sanguine. The neglect shown us bears hard on us all; the soldiers think themselves betrayed; the officers all blame the Admiralty, and your friend Lord S— is universally execrated; the sea-officers complained they were hurried out of England in a most shameful condition, not half manned, and ill-provided. Fleet and army complain of each other, and both of the people at home. If we fare as ill at Halifax as we have done here lately, I fear we shall have great desertion, as the opportunity will be more convenient."

STATE PAPERS ADOPTED IN TOWN MEETING,

1764--1776.

STATE PAPERS ADOPTED IN TOWN MEETING,
BOSTON, MASSACHUSETTS, 1764 TO 1776.

Instructions to the Boston Representatives in the
General Court, May 24, 1764.

To Royal Tyler, James Otis, Thomas Cushing and Oxenbridge
Thacher Esq^{rs}. —

Gentlemen

You being chose by the Freeholders and Inhabitants of the Town of Boston to Represent them in the General Assembly the ensuing Year, affords you the strongest Testimony of that Confidence which they place in your Integrity and Capacity — By this choice they have delegated to you the power of acting in their Publick Concerns in general as your own prudence shall direct you, always reserving to themselves the Constitutional Right of expressing their Mind and giving you such Instruction upon particular Matters, as they at any Time shall Judge proper.

We therefore your Constituents take this Opportunity to declare our Just Expectations from you —

That you will constantly use your power and influence in maintaining the invaluable Rights and Privileges of the Province, of which this Town is so great apart; As well as those Rights which are derived to us by the Royal Charter, as those which being prior to and independent on it, we hold essentially as Freeborn Subjects of G^t. Britain

That you will endeavor as far as you shall be able to preserve that independence in the House of Representatives, which characterises a Free People, and the want of which may in a great measure prevent the happy effects of a free Government; Cultivating as you shall have Opportunity, that Harmony and Union there, which is ever desirable to good Men when founded in Principles of Virtue and Publick Spirit; and guarding

against any undue weight which may lend to disadjust that critical Ballance upon which our happy Constitution and the Blessings of it do depend — And for this purpose we particularly recommend it to you to use your endeavors to have A Law passed whereby the Seats of such Gentlemen as shall accept of Posts of Profit from the Crown or the Governor while they are Members of the House shall be vacated agreeable to an Act of the British Parliament, till their Constituents shall have y^e. Opportunity of Re-Electing them if they please — or of returning others in their room —

Being Members of the Legislative Body you will have a special regard to the Morals of this People, which are the Bases of Publick Happiness; and endeavor to have such Laws made if any are still wanting as shall be best adapted to secure them; And we particularly desire you carefully to look into the Laws of Excise, that if the Virtue of the People is endangered by the multiplicity of Oaths therein enjoin'd or their Trade and Business is unreasonably impeded or embarrass'd thereby the grievance may be redressed —

As the preservation of Morals as well as property & right so much depends upon the impartial distribution of Justice agreeable to good and wholesome Law; and as the Judges of the Land do depend upon the Free Grant of the General Assembly for support; it is incumbent upon you at all times to give your Voice for their honourable maintenance so long as they having in their Minds an iddeference to all other Affairs, shall devote themselves wholly to the duties of their own Department, & the further study of the Law, by which their Customs Precedents Proceedings and Determinations are adjusted and limited.

You will remember that this Province has been at very great Expence in carrying on the late Warr, and that it still ly under a very grievous burden of Debt, you will therefore use your utmost endeavor to promote Publick frugality as one Means to lessen the Publick Debt, and we recommend as worthy your particular attention, whether any Expences can now be necessary to maintain the Garrison service on Our Eastern Frontier; considering that we are now in a state of profound peace: Our French Enemy's being totally subdued, and there being hardly any remains of the Indian Tribes ever again to annoy us —

You will Joyn in any Proposals that may be made for the better Cultivating the Lands & improving the Husbandry of this Province: And as you Represent a Town which lives by

its Trade we expect in a very particular manner that you make it the Object of your attention to support our Commerce in all its Just Rights, to vindicate it from all unreasonable Impositions and promote its prosperity. Our Trade has for a long Time laboured under great Discouragements, and it is with the deepest concern that we see such further Difficultys coming upon it, as will reduce it to the lowest Ebb, if not totally obstruct and ruin it. We cannot help expressing our surprize, that when so early notice was given by the Agent of the intention of the Ministry to burthen us with new Taxes, so little regard was had to this most interesting Matter, that the Court was not even called together to consult about it till the latter end of the Year, the consequence of which was, that Instructions could not be sent to the Agent, though solisited by him, till the Evil had got beyond an easy remedie, there is now no room for further delay; We therefore expect that you will use your earliest endeavors in the General Assembly that such Methods may be taken as will effectually prevent their proceedings against us. By a proper Representation we apprehend it may easily be made to appear that such severtys will prove detrimental to Great Britain itself, upon which Account we have reason to hope that an Application even for a repeal of the Act, should it be already passed will be successfull. It is the Trade of the Collonys that render them beneficial to their Mother Country: Our Trade as it is now and always has been conducted centers in Great Britain, and in return for her Manufactures affords her more ready Cash, beyond any Comparison, that can possibly be expected by the most sanguine promoters of these Extraordinary Methods. We are in short ultimately yielding large supplies to the Revenues of the Mother Country while we are labouring for a very moderate Subsistence for ourselves. But if our Trade is to be curtail'd in its most valuable branches, & burdens beyond possible bearings, laid upon that which is suffer'd to remain, we shall so far be able to take off the Manufactures of Great Britain, that it will be scarce possible for us to earn our Bread. But what still heightens our Apprehensions is that those unexpected proceedings may be preparitory to new Taxations upon us; For if our Trade may be taxed why not our Lands? Why not the produce of our Lands and every Thing we possess or make use of? This we apprehend annihilates our Charter Right to Govern and Tax ourselves — It strikes at our British Privileges which as we have

never forfeited them we hold in common with our Fellow Subjects who are Natives of Britain: If Taxes are laid upon us in any shape without ever having a Legal Representation where they are laid, are we not reduced from the Character of Free Subjects to the miserable state of tributary Slaves —

We therefore earnestly recommend it to you to use your utmost endeavors, to obtain in the General Assembly all necessary Instructions and advice to our Agent at this most critical Juncture that while he is setting forth the unshaken Loyalty of this Province and this Town — its unrivalled Exertions in supporting His Majestys Government and Rights in this part of his Dominion — its acknowledged Dependance upon and Subordination to Great Britain and the ready submission of its Merchants to all Just and necessary Regulations of Trade, he may be able in the most humble and pressing manner to remonstrate for us all those Rights and Privileges which Justly belong to us either by Charter or Birth.

As his Majestys other Northern American Colonys are embark'd with us in this most important Bottom, we further desire you to use your Endeavors, that their weight may be added To that of this Province; that by the united Applications of all are Aggrieved, All may happily obtain Redress —

Instructions to the Representatives, September 18, 1765.

To the Hon^{ble} James Otis Esq. Thomas Cushing Esq. and Mr. Thomas Gray.
Gentlemen

At a Time when the British American Subjects are every where loudly complaining of the arbitrary unconstitutional Innovations the Town of Boston can not any longer remain silent without Just Imputation and Inexcusable Neglect. We therefore the Freeholders and other Inhabitants being legally Assembled in Faneuil Hall, to consider What steps are necessary for us to take at this alarming Crisis, think it proper to communicate to you our united Sentiments; and to give you our Instructions thereupon —

It fills us with very great Concern to find, that Measures have been Adopted by the British Ministry, and Acts of Parliament made, which press hard upon our invaluable Rights and Privi-

leges and ten greatly to distress the Trade of the Province, by which we have heretofore been able to contribute so large a share towards the Inriching Of the Mother Country— But we are more particularly alarmed and astonished at the Act called the Stamp Act, by which a very grievous and we apprehend unconstitutional Tax is to be laid upon the Colonies —

By the Royal Charter granted to our Ancestors the power of making Laws for our internal Government and of levying Taxes, is vested in the General Assembly: And by the same Charter the Inhabitants of this Province are entitled to all the Rights & Privileges of natural free born Subjects of Great Britain; the most essential Rights of British Subjects are those of being represented in the same Body which exercises the power of levying Taxes upon them, and of having their Property tryed by Juries; These are the very Pillars of the British Constitution, founded in the common Rights of Mankind. It is certain we were in no sense represented in the Parliament of Great Britain, when this Act of Taxation was made: And it also certain that this Law admits of our properties being tryed in Controversies arising from internal concerns by Courts of Admiralty without a Jury: It follows that at once it annihilate the most valuable Privileges of our Charter, deprives us of the most essential Rights of Britain and greatly weakens the best securities of our Lives, Liberties and Estates; which may hereafter be at the disposal of Judges who may be Strangers to us, and perhaps malicious, mercenary, corrupt and oppressive. But admitting that we had no complaints of this Nature we should still have reason to except against the Inequality of these Taxes: It is well known that the People of this Province have not only settled this Country, but enlarged and defended the British Dominion in America with a vast Expence of Treasure and Blood; they have exerted themselves in the most distinguished services for their King by which they have often been reduced to the greatest distress; And in the late War more especially by their surprising Exertions, they have brought upon themselves a Debt almost insupportable; And we are well assured if these expensive services, for which very little if any advantage hath ever accrued to themselves, together with the necessary Charges of supporting & defending his Majestys Government here had been duly estimated, the Moneys designd to be drawn from us by this Act, would have appeared greatly beyond our Proportion. We look upon it as a peculiar hardship, that when the

Representative Body of this Province had prepared and sent forward a Decent Remonstrance against these Proceedings, while they were depending in the House of Commons, it failed of admittance there: And this we esteem the more extraordinary, in as much as being misrepresented, it was the only Method whereby they could make known their Objections to Measures, in the Event of which their Constituents were to be so deeply interested. Moreover this Act if carried into Execution, will become a further Grievance to us as it will afford a Precedent for the Parliament to Tax us in all future Time, and in all such Ways and Measures, as they shall Judge meet without our Consent.

We therefore think it our indispensable Duty in Justice to ourselves and Posterity, as it is our undoubted Privilege in the most open and unreserved, but decent and respectful Terms to declare our greatest Disatisfaction with this Law; And we think it incumbent upon you by no Means to Join in any publick Measures for countenancing and assisting in the Execution of the same: But to use your best endeavors in the General Assembly, to have the Inherent unalienable Rights of the People of this Province, asserted and vindicated, and left upon the publick Records, that Posterity may never have reason to charge the present Times with the Guilt of tamely given them away.

It affords us the Greatest Satisfaction to hear that the Congress proposed by the House of Representatives of this Province, is consented to by the Representatives of most of the other Colonies on the Continent. — We have the warmest Expectations from the united Counsels of that very respectable Committee: And we may with the strictest Propriety enjoin upon Mr Otis, a Member of the same, being also one of the Representatives of this Town to contribute the utmost of his Ability, in having the Rights of the Colonies stated in the clearest vein, and laid before the Parliament and in preparing a humble Petition to the King our Sovereign and Father, under whose Gracious Care and Protection, we have the strongest Reason to hope, that the Rights of the Colonies in General & the particular Charter Rights of this Province will be confirmed and perpetuated. We further Instruct you to take particular Care that the best Economy may be used in expending the public Monies, and that no unaccustomed Grants may be made to those who serve the Government — And we in general recommend to your Care, that the Monies of the Province drawn from the Individuals of the People at a Time when almost Every Avenue

of our Trade is Obstructed, may not be applied to any other Purposes, under any Pretence of necessary Contingent Charges, but what are evidently intended in the Act for supplying the Treasury.

**To the Inhabitants of the Town of Plymouth, March
24, 1766.**

Gentlemen

The Inhabitants of the Town of Boston legally assembled in Faneuil Hall have received with singular pleasure, your respectful Address of the 16th. of January last: The warm Sentiments of public Virtue which you therein express is a sufficient Evidence, that the most ancient Town in New England to whose Predecessors this Province in a particular manner is so greatly indebted for their necessary Aids in its original Settlement still retain the truly noble Spirit of our renowned Ancestors—When we recollect the ardent love of Religion and Liberty, which inspired the Breasts of those Worthys; which induced them at the Time when Tyranny had laid its oppressive Hand on Church and State in their Native Country, to forsake their fair Possessions and seek a Retreat in this distant Part of the Earth—When we reflect upon their early care to lay a solid Foundation for Learning, even in a Wilderness, as the surest if not the only Means of preserving and cherishing the Principles of Liberty and Virtue, and transmitting them to us their Posterity, our Mind is filled with deep Veneration, and we bless and revere their Memory. —

When we consider the immense Cost and Pains they were at in subduing, cultivating, and settling this Land, with the utmost Peril of their Lives; and the Surprising increase of Dominion Strength and Riches, which has accrued to Great Britain by their Expence & Labour we confess we feel an honest Indignation to think there ever should have been any among her Sons, so ungrateful as well as unjust and Cruel as to seek their Ruin —

Instances of this too frequently occur in the past History of our Country: The Names of Randolph, of Andross and others are handed down to us with Infamy; And the Times in which we live, even these very Times, may furnish some future Historian with a Catalogue of those, who look upon our rising Great-

ness with an envious Eye; and while we and our Sister Colonies, have been exerting our growing Strength in the most substantial services to the Mother Country, by Art and Intrigue have wickedly attempted to deceive her into Measures to enslave us — If then Gentlemen, the Inhabitants of this Metropolis, have discovered an invariable Attachment to the Principles of Liberty, when it has been invaded: If they have made the most vigorous Exertions for our Country when she has been threatened with the Loss of every Thing that has been dear: If they have used their utmost Endeavors that she may be relieved from those Difficulties, with which She is at this Time embarrassed; If they have taken the Legal and warrantable Measures to prevent that Misfortune of all others the most to be dreaded, the Execution of the Stamp Act; and as a necessary Means of preventing it, have made any Spirited Applications for opening the Custom House and Courts of Justice; If at the same Time they have bore their Testimony against outrageous Tumults and illegal proceedings, and given any Example of the Love of Peace & good order next to the consciousness of having done their Duty is the Satisfaction of meeting with the Approbation of any of their Fellow Countrymen —

That the Spirit of our venerable Forefathers, may revive and be defused through every Community in this Land: That Liberty Civil and Religious, the grand Object of their View, may still be felt enjoy'd & vindicated by the present Generation, and the fair Inheritance, transmitted to our latest Posterity, is the fervent wish of the Metropolis.

Instructions to the Representatives, May 26, 1766.

To the Hon^{ble}. James Otis Esq. Thomas Cushing Esq. Mr. Samuel Adams, and John Hancock Esq.

Gentlemen

The trust we your constituents have reposed in you, by chusing you to represent us in the approaching general assembly of this Province, is of so important a nature, that nothing short of an intire confidence in your wisdom and integrity, could have prevailed on us to have devolved it upon you. And although it is not customary for us to give Instructions to our representatives, for their conduct in all cases, or upon all occa-

sions, yet we hold the right of so doing, whenever we think fit to be sacred and unalienable. The present situation of this Province in particular, of North America in general, and of Great Britain and her Colonies, as a Nation, is such, that notwithstanding our confidence in your abilities, we apprehend it not improper for us to give you our advice, and instructions upon some of the important affairs which may come before you in that assembly: And we expect that you regulate your conduct therein accordingly——

In the first place, as to this province in particular, it is our advice and instruction, that you endeavor as far as in you lieth, to support all the fundamental laws of our constitution, and maintain the authority of government upon every occasion.— That you do all in your power to prevent money, or any pretence whatsoever, being drawn out of the publick Treasury, contrary to the appropriations thereof; and that if any such drafts should ever be made, you bear due testimony against it.——

That you be not persimonious in the support of executive officers of government, but at the same time use all your influence against any one officers holding two or more places inconsistent or interfering with each other. — That you take particular care in your choice of councilors and other officers of the government for the ensuing year, that they be men of integrity, and wisdom, lovers of liberty, and of our civil and ecclesiastical constitution; not giving your suffrage for any whose characters are doubtfull, or who are of a timid or wavering disposition. — That you bring forward and promote such an order as shall make the debates in the house of representatives as public as those in the House of Commons in Great Britain that you be very watchful over our Just rights, liberties and privileges And give us notice whenever you apprehend them in danger; and for the total abolishing of slavery from among us; that you move for a law, to prohibit the importation and purchasing of slaves for the future. ——

That you support and promote the commercial interests of this province on all occasions, as we apprehend the prosperity and increase thereof in a great measure depends upon the flourishing State of its trade: And that you by no means consent to the laying any unjust burden thereon, ever giving us the earliest notice of such an attempt. That you also encourage husbandry in all its branches, and that spirit of industry, frugality

and oeconomy, which we rejoice to find hath already taken place, and so much increased among us of late. — That you oppose any grants for erecting, maintaining, or garrisoning any useless or unnecessary Forts or fortresses, in any part of this province; and if any such fortresses be now garrisoned and maintain'd at the public expence, that you do your utmost that such grievances may be speedily redressed. That you at the same time duly support and encourage our seminaries of learning, by a suitable liberality to the governors and instructors thereof, more agreeable to the importance of their office than to the parsimony heretofore observed in grants for that purpose; since we apprehend that learning is the surest support of our constitution; science being the handmaid of liberty, while ignorance is the nurse of slavery. —

In the next place with respect to North America in general, it is our advice and instruction, that you keep up a constant and friendly intercourse with the other English Governments on the Continent: That you conciliate divisions and differences if any be now subsisting, or should hereafter arise; ever preferring their friendship and confidence, to the demands of rigorous Justice without them. — In the last place as to Great Britain & her Colonies as a Nation — It is our advice and instruction, that on all proper occasions you openly profess our duty and loyalty to the King; and a constitutional subordination to parliament. That you treat his Majestys Representatives, and all his other officers here, with due respect; being at the same time vigilant and Jealous, of our Just rights liberties and privileges; in all Cases protesting against and counteracting, with decent firmness every attempt in the least to abridge or infringe them. That you endeavor to promote that harmony, which ought ever to subsist between Great Britain and her Colonies —

Instructions to the Representatives, December 22, 1767.

We your Constituents the Freeholders and other Inhabitants of the Town of Boston being legally Assembled in Faneuil Hall, and taking into mature Consideration the distressed Circumstances of this Town, by means of the amazing growth of Luxury, and the Embarrassments of our trade; & having also the strongest apprehensions that our invaluable Rights & Liberties as Men and

British Subjects, are greatly affected by a late Act of the British Parliament imposing Duties on sundry Commodities to be levied & paid in the Colonies, have thought it expedient to give you our united sentiments on those interesting subjects; that you may from thence take encouragement vigorously to pursue such Measures as may be best calculated to secure our safety & welfare

It is the part of every wise community at all times to encourage Industry and Oeconomy among themselves. How great is the necessity when pressed with insupportable Debts and Taxes which is the present unhappy state of this Town and Province? The late Just and necessary war, in which our Sovereign and the nation have been engaged, being principally seated in North America rendred it the incumbent Duty of his Majestys faithful Subjects of these Colonies, to exert the utmost of their strength and abilities in defence of his Dominions in this part of the World, and reducing his Enemies to terms of peace. This Province has Exhibited many repeated instances of their readiness to afford this aid to his Majesty which will be standing Monuments of their zeal for his Majesties service & their affection to the Mother State. It is needless to recur to former Instances even in the Infancy of this Province; the last war affords incontestable proofs; when by their united exertions, they incurred a Debt which is now an almost insupportable burden, and will so remain for Years to come. It is with concern that we are obliged to say, that under all this difficulty our private Debts to the British Merchants have been increasing; and our importations even of Superfluities as well as other Articles have been so much beyond the bounds of prudence, that our utmost efforts it is to be feared, will not save us from impending ruin. At the Same Time our Trade by which alone we are enabled to balance our Accompts with Great Britain is in almost every branch of it burthened with Duties and Restrictions, whereby it is rendred unprofitable to us; and is indeed in danger of being totally obstructed & ruined. In such a deplorable situation we warmly recommend to you Gentlemen to exert your selves in promoting every prudent Measure which may be proposed to put a stop to that profusion of Luxury, so threatening to the Country; to encourage a spirit of Industry and frugality among the people, and to establish Manufactures in the Province. We conceive that diverse Manufactures may be set up to great advantage, particularly those of Iron, Glass, Paper, Linnen &c. and there-

fore we think it highly necessary that they should be encouraged by suitable Bounties. Hemp and Flax are the natural produce of our Lands, and many new discoveries may be made of the Productions of the Country, which we have Just reason to expect you will attend to, as they will be the necessary Means of lessoning our Forreign Imports, enabling us to discharge the Debts we have already Contracted abroad, & freeing us from the Obligation of contracting at least so largely for Time to come. We cannot conclude this head without observing to you, that the excessive use & consumption of spirituous Liquors requires your particular care to discountenance; as it is Destructive to the Morals as well as the Health and substance of the People; rendering them incapable of labor, and tending to erace from the Mind, the sentiments of Virtue, and a disposition to Industry.

As we have nothing more at heart than to maintain a lasting and perpetual friendship & union with the People of Great Britain who are our Fellow Subjects, we rely upon it that you will at all Times readily Join in any Measures tending to cultivate and establish it. Using your best endeavors to circumvent & frustrate the designs of those who would create Jealousies and forment Divisions between us. At the same Time it is your incumbent Duty carefully to inspect such Acts of Parliament as are or shall be passed to be binding on the Colonies; the prudence and even necessity of which will appear when it is considered that we are not and cannot be Represented in the Parliament which passeth such Laws; and consequently the only step that can be taken by those who alone legally Represent us, is to point out such inconveniences, as by reason of our great distance from the Supreme Legislative of the Nation may and in all probability will sometimes arise from such Laws, in order that they may be remedied. And we upon this Occasion strictly enjoin upon you to use your influence that the nature and tendency of the late Act of Parliament imposing Dutys upon Paper, Glass &c. may be the Subject of enquiry in the House of Representatives. The design of this Act we perceive is to raise a Revenue out of the Colonies for the support of his Majestys Government, and to defend and secure his Majestys Territories. As this Revenue is to be raised out of our property, it is immaterial to us by what mode the Taxes are to be levied, or by what Name they are called. It is without controversy the natural right of every Man, and the constitutional Right of every British Subject solely to dispose of his own property either by himself

in Person, or by his Representatives of his own free Election. If therefore the People of This Province are by nature and by the Royal Charter entitled to all the Rights of natural born Subjects, as without doubt they are, it is certain that all Property taken from them, by any manner or way without their consent must be an infringement of their natural and Constitutional Rights, and it is a point of the utmost consequence to us; For what Liberty could any Man be supposed to have, if another have a right to demand of him any part of his earnings, and by consequence the whole if he pleases? Besides the appropriation of the Moneys to be raised by this Act we humbly apprehend it to be Just matter of grievance to us, in as much as we are thereby deprived of that honor which is the pride of British Subjects of testifying our alacrity in supporting his Majesties Officers in the several Departments of Government, as well as of the privilege of taking into Consideration our own ability and the merit of their Services. Moreover the Act in its operation will further discourage our Trade, already sinking under its pressures & difficulties. And it is worth your particular notice that it has ever been the policy of Great Britain to lay the Colonies under the necessity of purchasing her own Manufactures to the exclusion of all others, which obliges us to purchase such Articles as we have need of at an advanced price: and this alone we apprehend would be sufficient to exempt us from any additional Charges or Duties upon them here, even it were not inconsistent with our natural and constitutional Rights; especially when it is considered, that by our consumption of their Manufactures, the price of them is greatly advanced, the Manufactures increased in number and wealth and enabled to pay a larger proportion towards the public and National Charges, and the value of their Lands is also greatly enhanced——

We therefore upon the whole Instruct you to endeavor that in the most humble dutiful and loyal terms such representations may be made to our most gracious King, of our Constitutional & Charter Rights—of our unrivalled Loyalty & Affection to his Person, Family & Government. Of our acknowledged Constitutional subordination to the supreme Legislative power of the Nation, and of the hardships & grievances which lye upon us under the operation of the said Act, together with such humble supplication to his Majesty, as may prevail upon him graciously to recommend its Repeal——

Much Respected Sir

To the Author of the "Farmer" Letters, March 22, 1768.

When the Rights and Liberties, of the numerous and Loyal Inhabitants of this extensive Continent are in imminent Danger —when the inveterate Enemies of these Colonies are not more assiduous to forge Fetters for them, then diligent to delude the People, and to persuade them to an indolent Acquiescence: At this alarming Period, when to Reject is deemed to Revolt, and to oppose such Measures as are injudicious and destructive, is construed as a formal Attempt to subvert Order and Government; when to Reason is to Rebel; and a ready submission to the Rod of Power, is solicited by the Tenders of Place & Patronage, or urged by the menace of danger and disgrace; Tis to you worthy Sir! that America is obliged for a most seasonable, sensible loyal & vigorous Vindication of her invaded Rights & Liberties: Tis to you the distinguished Honor is due; that when many of the Friends of Liberty were ready to fear its utter Subversion: Armed with Truth, supported by the immutable Laws of Nature, the common Inheritance of Man, and leaning on the Pillars of the British Constitution; you seasonably brought your Aid, opposed impending Ruin. Awakened the most indolent and inactive to a sense of danger, reanimated the hopes of those, who had before exerted themselves in the Cause of Liberty, and instructed America in the best means to obtain Redress.——

Nor is this Western World alone indebted to your Wisdom, Fortitude and Patriotism; Great Britain also may be confirmed by you, that to be truly great and successful she must be Just: That to Oppress America is to violate her own Honours, defeat her brightest Prospects, and contract herspreading Empire——

To such eminent Worth and Virtue the Inhabitants of the Town of Boston, the Capitol of the Province of the *Massachusetts Bay* in full Town Meeting Assembled, express their earliest Gratitude: Actuated themselves by the same generous Principles, which appear with so much Lustre in your useful Labours, they will not fail warmly to recommend, and industriously to promote that Union among the several Colonies, which is so indispensably necessary for the security of the whole

Tho: such superior Merit, must assuredly in the closest Recess, enjoy the divine satisfaction of having saved & possibly saved

this People; tho' view'd from our view, you modestly shun the deserved applause of Millions; permit us to intrude upon your Retirement, and salute the *Farmer* as the *Friend of Americans*, and the common Benefactor of Mankind —

Instructions to the Representatives, June 17, 1768.

To the Hon^{ble}. James Otis & Thomas Cushing Esq^{rs}. Mr. Samuel Adams, and John Hancock Esq.

After the Repeal of the late American Stamp Act, we were happy in the pleasing prospect of a restoration of that tranquility and unanimity among ourselves, and that harmony & affection between our Parent Country and us, which had generally subsisted before that detestable Act. But with the utmost grief and concern we find that we flatter'd ourselves too soon, and that the root of bitterness is yet alive. The principle on which that Act was founded continues in full force, & a Revenue is still demanded from America. —

We have the mortification to observe one Act of Parliament after another, passed for the express purpose of raising a Revenue from us; to see our money continually collecting from us, without our consent, by an authority in the constitution of which we have no share, and over Which we have no kind of influence or controul; to see the little circulating Cash that remained among us for the support of our trade, from time to time transmitted to a distant Country, never to return, or what in our estimation is worse if possible, appropriated to the maintainance of swarms of Officers and Pensioners in idleness and luxury, whose example has a tendency to corrupt our morals, and whose arbitrary dispositions will trample upon our rights —

Under all these misfortunes and afflictions, however, it is our fixed resolution to maintain our loyalty and duty to our most gracious Sovereign, a reverence and due subordination to the British Parliament as the supreme Legislative in all cases of necessity, for the preservation of the whole Empire, and our cordial and sincere affection for our Parent Country, and to use our utmost endeavors for the preservation of peace & order among ourselves: Waiting with anxious expectation for a favourable answer to the Petitions and solicitations of this Continent for Relief — at the same Time it is our unalterable resolution, at all

times to assert and vindicate our dear and invaluable Rights and Libertys, at the utmost hazard of our lives and fortunes; and we have a full and rational confidence, that no design formed against them will ever prosper. —

That such designs have been formed and are still in being we have reason to apprehend. A multitude of Placemen and Pensioners, and an enormous train of Underlings and Dependants, all novel in this Country we have seen already: Their injurious temper, their rash inconsiderate & weak behavior, are well known —

In this situation of affairs several armed Vessels and among the rest his Majesty's Ship of War the Romney, have appeared in our Harbor; and the last as we believe by the express application of the Board of Commissioners with design to over awe and terrify the Inhabitants of this Town into base compliances, and unlimited submission, has been anchored within a Cables length of the Wharves. —

But passing over other irregularities, we are assured, that the last alarming act of that Ship — Vizt. — the violent and in our opinion illegal seizure of a Vessel lying at a Wharff, the cutting of her forts, & removing Her with an armed force in hostile manner, under the protection of the Kings Ships, without any probable cause of seizure that we know of, or indeed any cause that has as yet been made known; no Libel or prosecution whatever having yet been instituted against her, was by the express Order or request in writing of the Board of Commissioners to the Commander of that Ship —

In addition to all we are continually alarmed, with rumors & reports of new revenue Acts to be passed, new importations of Officers and Pensioners to suck the life blood of the body politic, while it is streaming from the Veins; fresh arrivals of ships of war to be a still severer restraint upon our trade; and the arrival of a military force to dragoon us into passive obedience; orders and requisitions transmitted to New York, Hallifax and to England, for Regiments and Troops to preserve the public peace. —

Under the distresses arising from this state of things, with the highest confidence in your integrity abilities & fortitude, you will exert yourselves Gentlemen on this occasion, that nothing may be left undone that may conduce to our relief; and in particular we recommend it to your consideration and discretion in the first place to endeavor that Impresses of all kinds may if possible be

prevented. There is an Act of Parliament being which has never been repealed, for the encouragement of the trade to America. We mean the 6: of Anne Chap. 37. Sect. 9. it is enacted. " That no Marriner or other Person who shall serve on
 " board or be retained to serve on board, any Privateer or trad-
 " ing Ship or Vessel that shall be employed in any part of
 " America, nor any Mariner or other Person being on shore in
 " any part thereof, shall be liable to be impressed or taken away
 " by any Officer or Officers of or belonging to any of her Ma-
 " jesty's Ships of War, impowered by the Lord High Admiral,
 " or any other Person what soever, unless such Mariner shall
 " have before disserted from such Ship of War belonging to her
 " Majesty, at any time after the 14. of February 1757 upon pain
 " that any Officer or Officers so impressing or causing to be im-
 " pressed or taken away any Mariner or other Person contrary
 " to the tenor & true meaning of This Act, shall forfeit to the
 " Master or Owner or Owners of any such Ship or Vessel twenty
 " pounds for every Man he or they shall so impress or take to
 " be recovered with full costs of Suit in any Court within any
 " part of her Majesty's Dominions" so that any Impresses of
 any mariner, from any Vessel whatsoever, appears to be in
 direct violation of an Act of Parliament

In the next place its our desire that you enquire and use your endeavors to promote a Parliamentary enquiry for the Authors and propogators of such alarming rumors and reports as we have mentioned before; & whether the Commissioners or any other Person whatever have really wrote or solicited for Troops to be sent here from N York Hallifax England or elsewhere, and for what end; and that you forward if you think it expedient, in the House of Representatives resolutions that every such Person, who shall solícite or promote the importation of Troops at this time, is an Enemy to this Town and Province, and a disturber of the peace and good order of both.——

Resolutions, September 13, 1768.

Whereas it is the first Principle in Civil Society, founded in Nature and Reason, that no Law of the Society can be binding on any Individuals, without his Consent, given by himself in Person, or by his Representative of his own free Election:

And whereas in and by an Act of the British Parliament passed in the First Year of the Reign of King William and Queen Mary, of glorious and blessed Memory, entitled an Act declaring the Rights and Liberties of the Subject, and Settling the Succession of the Crown; the Preamble of which Act is in these words — viz^t. “Whereas the late King James the Second, by the assistance of diverse evil Councillors, Judges and Ministers employed by him, did endeavor to subvert & exterpate the Protestant Religeon, and the Laws and Liberties of this Kingdom” It is expressly among other Things declared, That the levying Money for the use of the Crown, by Pretence of Pre-rogative, without Grant of Parliament for a longer Time or in other manner than the same is granted, is illegal. *And whereas* in the Third Year of the Reign of the same King William & Queen Mary, their Majestys were graciously pleased, by their Royal Charter to give and grant to the Inhabitants of His Majestys Province, all the Territory therein discribed, to be holden in free and common Soecage: And also to Ordain & Grant to the said Inhabitants certain Rights, Liberties and Privileges therein expressly mentioned; among which it is Granted established and Ordained, that all and every the Subjects of them their Heirs & Successors, which shall go to Inhabit within said Province and Territory, and every of their Children which shall happen to be born there, or on the Seas in going thither, or returning from thence, shall have & enjoy all Liberties and Immunities of free and natural Subjects, within any of the Dominions of them, their Heirs and Successors, to all intents Purposes and Constructions whatever, as if they and every of them, were born within the Realm of England :

And whereas by the aforesaid Act of Parliament made in the first Year of the said King William and Queen Mary, all and singular the Premisses contained therein, are claimed demanded & Insisted on as the undoubted Rights & Liberties of the Subjects born within the Realm :

And whereas the Freeholders and other Inhabitants of this Town the Metropolis of the Province in said Charter mentioned, do hold all the Rights & Liberties therein contained to be sacred & inviolable At the same Time publicly and solemnly acknowledging their firm and unshaken Allegiance to their alone and rightful Sovereign King George the Third, the lawful Successor of the said King William and Queen Mary to the British Throne —

Resolved That the said Freeholders and other Inhabitants of the Town of Boston, will at the utmost peril of their Lives & Fortunes take all legal and constitutional measures to defend and maintain the Person Family, Crown and Dignity of our said Sovereign Lord George the Third; and all and singular the Rights, Liberties, Privileges & Immunities granted in the said Royal Charter, as well as those which are declared to be belonging to us as British Subjects by Birth right, as all others therein specially mentioned. —

And whereas by the said Royal Charter it is specially granted to the Great & General Court or Assembly therein constituted, to impose and levy proportionable and reasonable Assessments, Rates & Taxes upon the Estates and Persons of all and every the Proprietors & Inhabitants of said Province or Territory, for the Service of the King in the necessary defence and support of his Government of this Province, & the protection and preservation of his Subjects therein, therefore

Voted, as the Opinion of this Town; that the levying Money within this Province for the use and service of the Crown, in other manner than the same is granted by the Great & General Court or Assembly of this Province is in violation of the said Royal Charter; and the same is also in violation Of the undoubted natural Rights of Subjects, declared in the aforesaid Act of Parliament, freely to give and grant their own Money for the service of the Crown, with their own consent, in Person, or by Representatives of their own free Election —

And whereas in the aforesaid Act of Parliament it is declared That the raising or keeping a standing Army, within the Kingdom in time of peace, unless it be with the consent of Parliament, is against Law; It is the Opinion of this Town; that the said Declaration is founded in the indefeasible Right of the Subjects to be *consulted*; and to give their *free Consent in Person*, or by Representatives of their own free Election to the raising & keeping a standing Army among them; and the Inhabitants of this Town being free Subjects, have the same Right derived from Nature & conferred by the British Constitution, as well as the said Royal Charter; and therefore the raising or keeping a standing Army, without their consent in Person or by Representatives of their own free Election, would be an infringement of their natural, constitutional and Charter Rights; and the employing such Army for the enforcing of Laws made without the consent of the People, in Person, or by their Representatives would be a Grievance. —

Instructions to the Representatives, May 8, 1769.

To the Hon^{ble}. James Otis & Thomas Cushing Esq. Mr. Samuel Adams, & John Hancock, Esq.

Gentlemen

You have once more received the highest Testimony of the Confidence and Affection of your Constituents, which the Constitution has impowered them to exhibit; The Trust of Representing them in the Great and General Court or Assembly of this Province. This important Trust is committed to you at a Time when your Country demands the exertion of all your Wisdom, Fortitude and Virtue; and therefore it is presumed a free Communication of our Sentiments cannot but be agreeable to you—

The first Object of your attention is the Privilege of that Assembly of which you are now chosen to be Members. The Debates there must be free: You will therefore exert yourselves to remove every thing that may carry the least appearance of an Attempt to awe or intimidate. As the Assembly is called to set in the usual place, common Decency, as well as the Honor and Dignity of a free Legislative, will require a removal of those Cannon and Guards, as well as that clamorous Parade which has been dayly round the Court House since the arrival Of his Majestys Troops; and at some times while the highest Courts of Judicature has been setting there on the tryal even of Capitol Causes—When this Grievance shall be removed, and the Debates of the Assembly shall be free, it will be natural to enquire into all the Grievances we have suffered from the Military Power; Why they have been quartered in the Body of this Town, in contradiction to the express words, and as we conceive the manifest intention of an Act of Parliament; Why the Officers who have thus violated our Rights, have not been called to account, and dealt with as the Law required: Whether the Measure taken by the Governor of the Province in appointing an extraordinary Officer to provide Quarters for the Troops, was not an evasion of the Act of Parliament made for the Billeting and quartering his Majestys Troops in America (the professed rule of their Conduct) and design'd to Elude the Clause of said Act purposely providing for the convenience of American Subjects and their Security against an excess of Military power: Why the repeated offences and Violences committed by the

Soldiery, against the peace, and in open Defiance and Contempt of the Civil Magistrate and the Laws have exceaped punishment in the Courts of Justice: And whether the Attorney General has not in some late Instances, unduly exercised a power of entring “*Nolle prosequi*” upon Indictments without the Concurrence of the Court in obstruction to the course of Justice and to the great Encouragement of Violence and Oppression.—

And as the quartering of Troops here has proved the Occasion of many Evils, we do earnestly recommend to you to use your utmost endeavours for a speedy removal of them.—

Should the Expence that has been incurred in providing Barracks for the Troops, and supplying them with Necessaries, be required of the House of Representatives, we do in the most solemn and express manner enjoin you, by no means to comply with such a Requisition. If the General Court is a free Assembly no Power upon Earth has Authority to compel it to pay this Money. Should it ever be deprived of its freedom, it shall never with our Consent be made An Engine to drain us of the little Money we have left. Another Object of great Importance, and which requires your earliest attention, is a late fragrant and formal Attack upon the Constitution itself: An Attempt not only to deprive us of the Liberteis Privileges & Immunities of our Charter, but the Rights of British Subjects. We have seen Copies of Letters published here authenticated by the Clerk of the Papers to the Hon^{ble}: House of Commons, the Contents of which must have awakened the Jealousy of the Country—the Design of the Writer is sufficiently apparent: And considering his Station as Representative of the first Personage in the Empire, and the rank of the Minister to whom he Addressed himself, we cannot wonder that Credit has been given to his Letters in Great Britain and that they have already produced Effects alarming to the Colonies & dangerous to both Countrys. It is therefore requested that you use the whole Influence you may have that the injurious impressions which they have unhappily made, may be removed and that an effectual Antidote may be Administred, before the Poison shall have wrought the Ruin of the Constitution.—

It is unnecessary for us at this Time to repeat our well known Sentiments concerning the Revenue, which is continually levied upon us, to our great Distress, and for no other end than to support a great Number of very unnecessary Placemen and Pen-

sioners. We have only to add that our Sentiments upon this Subject are in no respect changed ; and we expect that you pursue with firm Resolution, and unremitted Ardor, every Measure that may tend to procure us Relief ; Never yeilding your Consent to, or Connivance at the least encroachment on our Rights. —

Next to the Revenue itself the late Extension of the Jurisdiction of the Admiralty, are our greatest Grievance, The American Courts of Admiralty seem to be forming by Degrees into a System that is to overturn our Constitution, and to deprive us intirely of our best Inheritance, *the Law of the Land*. It would be thought in England a dangerous Innovation if the Tryal of any Matter *upon Land*, was given to the Admiral : It would be thought more threatning still If the power of Confiscation, over Ships and Cargoes for Illicit Trade was committed to that Court — But if the Forfeitures of Ships & Cargoes, large Penalties upon Masters, and such exorbitant Penalties as the treble value of Cargoes, upon every Person concerned in landing unaccustomed Goods, were by Act of Parliament appointed to be tryed by the Admiral, the Nation would think their Liberties irrecoverably lost. —

This however is the miserable Case of North America. In the 41.8 of the Statute of the 4. of George III Chap^r. 15. We find “ that *all the Forfeiture & Penalties inflicted by this or any other Act of Parliament, relating to the Trade and Revenues of the British Colonies or Plantations in America, which shall be incurred there may be presented, sued for and recovered in any Court of Admiralty in the said Colonies* ” — That those extraordinary Penalties & Forfeitures are to be heard and tryed — not by a Jury — not by the Law of the Land but by the Civil Law and a single Judge ! Unlike the *Antiente Barrons* who answered with one voice “ We will not that the Laws of England be changed which of old have been used and improved,” the Barrons of *Modern* Times seem to have answered, that they are willing those Laws should be changed with regard to America ; in the most tender point and fundamental Principle !

And this hardship is the most severe as we see in the same Page of the Statutes, and the Section immediately preceeding “ that all Penalties and Forfeitures which shall be incurred in Great Britain, shall be prosecuted Sued for and recovered, in any of his Majestys Courts of Record in Westminster, or in the Court

of Exchequer in Scotland respectively." Here is a Contrast that stares us in the Face! A partial distinction that is made between the Subjects in *Great Britain* and the Subjects in America! the Parliament in one Session guarding the People of the Realm and securing to them the benefit of a tryal by Jury and the Law of the Land, and by the next Session depriving Americans of those important Rights — Is not this distinction a brand of disgrace upon every American a Degradation Below the Rank of an English Man? Is it not with respect to us a Repeal of the 29 Chap^r. of *Magna Charta* "*No Freeman shall be taken and Imprisoned, or Deprived of his Freehold or Liberties, or free Customs, or Outlawed and exiled, or any otherwise destroyed, nor will we pass upon him nor condemn him, but by lawful Judgment of his Piers or the Law of the Land?*" Englishmen are inviolably attached to the Important Right expressed in this Clause, which for many Centuries has been the noblest Monuments and firmest Bulwark of their Liberties. One proof of his Attachement, given us by a great Sage of the Law, we think proper to mention, not for your Information, but as the best expression of the sense of your Constituents. "*Against this Ancient and Fundamental Law, and in the Face thereof says Lord Coke I find an Act of Parliament made, that as well Justices of Assize, as Justice of Peace, without any finding or presentment of twelve Men, upon a bare Information for the King before them made should have full power and Authority by their discretions to hear and try Men for Penalties and Forfeitures.*" His Lordship after mentioning the Repeal of this Statute, and the fate of Empson & Dudley, who received the full weight of the National Vengeance for acting under it, concludes with a Reflection which if well Considered, might be sufficient to discourage such Attacks upon Fundamental Principles. "*The ill Success of this Statute and the fearful end of those two Oppressors, should deter others from committing the like, and should admonish Parliaments, that instead of this ordinary and precious Tryal by the Law of the Land, they bring not in absolute & partial Trials by discretion.*" — Such are the feelings and Reflections of an English Man, upon a Statute not unlike the Statute now under Consideration, and upon Courts and Judges not unlike the Courts & Judges of Admiralty in America. —

The formidable power of these Courts and their distressing

Course of Proceedings have been severely felt within the Year past ; many of your Fellow Citizins having been worn out with Attendance upon them, in defence against Information for extravagant & enormous Penalties. And we have the highest Reason to fear from past Experiences That if no Relief is obtained for us, the Properties & Liberties of this unhappy Country, and its Morals too, will be ruined by these Courts, and, the Persons employed to support them. —

We therefore earnestly recommend to you, by every legal Measure to endeavor that the power of these Courts may be confined to their *proper Element*, according to the antient English Statutes ; and that you Petition & Remonstrate against the late Extension of their Jurisdictions ; and we doubt not the other Colonies and Provinces who suffer with us under them, will cheerfully harmonize with this in every Justifiable Measure that may be taken for a Redress —

We need not here take Occasion to Instruct you, that while you in the most ample manner testify your loyalty to our gracious Sovereign, you will strenuously assert & maintain the Right of the Subject Jointly or severally to Petition the King ; or to declare it as our clear opinion, that the House of Representatives in any one Province has an undeniable Right, whenever a Just Occasion shall offer, to communicate their Sentiments upon a common concern to the Assembly of any or all the other Colonies, and to unite with them in humble dutiful & loyal Petitions for Redress of a general Grievance —

To Vindicate the Town, October 18, 1769.

The Town of Boston having by the generous care of William Bollan Esq. formerly a very worthy Inhabitant in it, but now a Resident in London, received authentick copies of Letters Memorials &c. written by Governor Bernard, General Gage, Commodore Hood, the Commissioners of the American Board of Customs, and others, and laid before the Parliament ; which contain many base insinuations and virulent charges of an high nature against the Town : The Freeholders and inhabitants in a legal Town Meeting assembled for the purpose, have considered the same. As they have not yet been favoured with the particular vouchers : if indeed these Gentlemen have produced

any to the Ministry Before whom they laid their accusations, it cannot be expected they should be enabled to make so full a vindication of the Town as otherwise they might: They have however endeavoured to extract from those writings, so far as the Town is concerned in them, and to lay before the publick their true spirit: From whence it will appear how restless, Governor Bernard & his Associates have been in their malicious intrigues to traduce not this Town and Province, alone, but the whole British American Continent. —

In his Letter to the Earl of Shelburne, dated March 19. 1768 he tells his Lordship that “he sees such an opposition to the Commissioners and their Officers, and such a defiance to the Authority by which they are appointed, continually growing, that he can no longer excuse his informing his Lordship of the detail of facts, from whence the most dangerous consequences are to be expected” — It is observable here, how artfully he connects an opposition to the Commissioners with a defiance of the authority by which they are appointed; and this with an apparent design to represent this Town as disaffected to his Majestys Government in general, than which nothing can be more false and malicious. That the People should entertain the highest disgust of a Board, instituted to superintend a Revenue to be raised from them without their consent, which was and still is exacted with the utmost rigor, is natural; after they had so loudly as well as Justly complained of the Revenue itself, as depriving them of the very idea of liberty: But it cannot be said with the least appearance of truth that they set at defiance the Kings authority, at the very time when they were actually yielding obedience to those Revenue laws, under all the hardships of them, and were patiently waiting for the happy issue of their Just complaints, and their humble petitions to their Sovereign for the redress of their Grievances — The Commissioners had however at that time surely no reasonable grounds to expect any injury to their Persons or interruption in their Office; for they had been more than four months in the Town, without the least danger of this kind, although they had from their first arrival discovered Such an arrogance an insolence of Office as let many Persons to apprehend that they aimed at nothing less than provoking the People to such a degree of intemperance as to make an appearance of it. But being disappointed in this, more shifts & pretensions are to be sought after; and accordingly we find Mr. Bernard begining his detail: to

his Lordship with telling him there had been "frequent reports of insurrections intended, in which it had been said, the Houses of one or more of the Commissioners were to be pulled down" The Governor it is to be observed relies much upon Reports in his Letters even to Ministers of State, while few if any among us ever heard of such Reports: He does not so much as attempt to make it appear to his Lordship that these frequent Reports were brought to him by Persons of credit or that they were well grounded; and it is very much to be questioned, whether he received his intelligence from any other Persons than the Commissioners themselves, their Dependents & Expectents, the number of whom are increased to an enormous degree, more than sufficient to devour the whole Revenue, and many of them are of the most abandoned characters. But to give a colouring to these Ideas of an Insurrection, there must be something more alledged than barely that there had been frequent Reports of its being intended; and therefore his Lordship is told of an event which in fact took place as some few remember, but the story is wrought up by the Governor with all the strokes of masterly invention to serve the purpose "A number of Lads says he peraded the Town with a Drum and Horn" And what possible harm could there be in that? Why among other Houses, "they passed by the Council Chamber when he was Sitting in Council" And did they stop to insult the Governor and Council? Such a circumstance would doubtless have embellished his Excellencies Narrative. There passing by however carried the air of an insult, tho' in all likelihood the unlucky Boys might not know that his Excellency was there — But they had "assembled before Mr. Paxtons House" and least it should be forgot his Lordship is reminded that Mr. Paxton is a "Commissioner" — And did they do Mr. Paxton the *Commissioner* any injury, yess truly "they huzzard" & went off then they "invested Mr. Burchs House" And his Lordship is also told That Mr. Burch is "another Commissioner" — and "his Lady & Children were obliged to go out of the back door to avoid the danger that was threatned" So that they were not threatned with mischief, but with danger only. It has been usual for the Commissioners to affect an apprehension of danger to themselves and their Families, to serve the purposes they had in view. There is indeed no accounting for the real fears of Women and Children: The Ladys however can sometimes vie with their Husbands in intrigue, and are thoroughly versed in the art even of political

appearance. And it is said that *all* are Politicians in this Country: Whether this Lady whom Governor Bernard has *politely* ushered into the view of the public, *really* thought herself in danger or not, it is incumbent on him to show that there were Just grounds for her apprehensions, that Mr. Burch's House was in fact "invested" and that "the most dangerous consequences were to be expected" The World may be assured there was not the least appearance of this kind; and yet, these are Mr. Bernards own declarations to his Majestys Ministers, grounded upon vague and idle Reports, beneath one of his rank and station to take any notice of, and especially with a design to misrepresent. He expresses a surprize and surely he must counterfeit it, that this matter of "the parade with the Drum and Horn" was after all treated as the diversion of a few Boys, as it is still thought to have been by all who can remember so trifling an occurrence, except the Governor and his Adherents — the diversion of a few *innocent*, tho' perhaps vulgar Boys who neither did nor intended to do the least harm to them or any other persons, nor were they able to effect it if they had such a design. But after this says Mr. Bernard "it was *reported* that the *insurrection* was postponed till the 18th. of March" the idea is still kept up of a *designed* insurrection, how else could it be *postponed* and "two Persons says he, one of them Mr. Paxton a *Commissioner* was mentioned as devoted to the resentment of a Mob" It is strange no Person should have heard of all this but the Governor and his *Informers* for he tells his Lordship that "he took all the pains he could to discover the truth of this Report;" and "on the very day before he spoke with The most knowing Men he could procure," who had heard nothing about the matter. At length however "late in the Evening he had certain advice that the Effigies were prepared, but it was too late to do any thing, & his information was of *that nature*, he could not make use of it in *public*" To induce his Lordship however to believe that the Reports of *the Insurrection* which was postponed to the 18 of March, with every circumstance as Just now related, were well grounded, he tells him as if it was designed to be the prelude to the whole, that "early in the Morning the Sheriff informed him that the Effigies of Mr. Paxton and Mr. Williams were in truth hanging upon Liberty Tree!" There was in the time of it a strong suspicion in the minds of many that their Effigies were hung up by some *particular persons* on that day (which was to be observed

as a day of festivity) with a design to give a colouring to Just such a representation as Governor Bernard now makes. There are persons here capable of playing such a game; and there are some circumstances which make it appear that such a suspicion was not groundless. Particularly it is difficult to account for Governor Bernards neglecting to give orders to prevent their being hung up after he *certainly* knew it was intended; and that he should pretend it was too late the Evening before; but especially his not chusing to make use of his information, or it may rather be supposed his Informants name in public, unless it was thro' fear of discovering the plot, is dark and unaccountable—if there was a design of this nature it must have been truly mortifying to those who were in the street, that the design was so soon frustrated: For before the Governor could meet his Council which he had *prudently* “the day before summoned to meet” and while he was “sending round to get them together as soon as possible it might be; amidst all these *careful* preparations, the Effigies says the Governor “were taken down by some of the *Neighbours* without opposition”! There being thus, perhaps unexpectedly, taken down, is sufficient to evince the good disposition of the Inhabitants in general: That they were not in the plan of an insurrection *whoever else might be*, and that the Governor therefore might with safety *if he had been so inclined* make use of his information in public — It might possible indeed have totally overthrown his design in writing this very Letter to his Lordship. But the best improvement is to be made of every appearance: Accordingly the Governor hastens to his Council, who were then met agreeable to his appointment the *Day before*, and there he tells his Lordship he “set forth in strong terms the atrociousness of this insult; the danger of its being followed by actual violence, and the necessity there was of *providing for the peace of the Town*” However atrocious the insult might be, where could be the danger of its being followed with actual violence, when some of the Inhabitants themselves had taken down the Effigies, with at least the tacit consent of the whole Community; for it was done without the opposition expected, perhaps *hoped for*; And what necessity of providing for the peace of the Town, when the people already discovered so peaceable a disposition. It would doubtless have pleased the Governor well, if his Council had advised to some *severe* measures; such as might have afforded a former foundation for him to have represented the Town upon the eve

of an insurrection, than groundless reports and informations, from his own pimps which it was not *prudent* for him to make use of in public. But "all he could say" to that purpose tho' he strove hard for it "made no impression on the Council." They say he "persevered in treating the affair as of no consequence," as well they might; for its questionable after all, whether there was the least apprehension then of any communication even in the mind of the Governor himself whatever was his pretensions. The Commissioners however took this opportunity of "setting forth the danger *they* apprehended;" and the Governor, very readily no doubt, took the occasion to acquaint the Kings Minister that he received a Letter from the Commissioners "*desiring the protection of the Government.*"

Mr. Bernard proceeds in his Narrative, and entertains his Lordship with a very minute account of the celebration of the Anniversary of the repeal of the Stamp Act; and "the terrible night it produced"—to Mr. Burch *one of the Commissioners*, and his Lady & Children who had moved to his House for safety; "to the Lieutenant Governor and the Sheriff of the County who were also with him" And in fine to all "those who thought themselves Objects of the popular *Fury.*" It may be here observed as in general true, that no Man has reason to fear the popular fury, but he who is conscious to himself of having done that which has exposed him to the Just resentment—The Governor himself owns that "the Selectmen of the Town" and "some others" and even the Gentlemen who dined at two Taverns near the Townhouse upon the occasion of the day "took great pains that the festivity should not produce a Riot." There is no reason to suppose this was mentioned for the sake of giving a credit to any of those Gentlemen, but rather to insinuate that the People were so outrageously disposed as that they could not be restrained even by their own *Leaders*; for most of those whom the Governor has *honoured* with that character were present. The truth is none of them were apprehensive that *their* festivity would produce a riot; but they were careful to prevent the lighting a Bonfire, because the Governor had constantly represented that as "the signal for a Mob;" and the Joys of the Evening among the lower sort which however innocent are sometimes noisy, would of course be represented as riotous. And thus he did in fact represent it to his Lordship for he tells him that "many hundreds of People of all kinds sexes and ages, paraded the streets with yells and outcries"—That they "invested Mr.

Williams House" — That "at two different times about midnight they made outcries about Mr. Paxtons house." And tho' after all he owns it was "out of mere wantoness" yet he says the whole made it a terrible night." This is painting indeed, much beyond the life: But Mr. Bernard has the art in perfection. He could not however perswade even General Gage, to give it such a colouring; for the General in his letter to Lord Hillsborough dated Boston the 31st. of October 1768, tells his Lordship quite otherwise; and that "according to the best information he had been able to procure, the disturbance in March (which was this very instance) far from being "terrible as the Governor represents it, was in truth "triffling." This being the account given by one of the principal servants of the Crown in America, and who has discovered himself far from being partial *in favor* of the Town, it is needless to add any thing further on this head — Triffling as indeed this "disturbance" was, such improvements were made of it by Governor Bernard & others, that it occasioned the ordering two Regiments from Hallifax to this Town for a purpose for which the military power was certainly never designed: A very dangerous purpose, and abhorrent to the British Constitution and the spirit of a free Government, namely to support the Civil Authority — A measure which has caused continual terror to his Majestys peaceable subjects here, and has been productive of more disturbance & confusion than has been known in the memory of any now living, or than is recorded by any historian, even the most *partial* against the country. —

We shall now take notice of Governor Bernards Letter to the Earl of Hillsborough, dated Boston June 11 1768, wherein he gives his Lordship an account "of a great riot that happened in this Town the preceeding Evening." and it must be confessed there was a riot on that evening, which is by no means to be Justified. It was however far from being so great a one as the Governor represents it to be — The Collector and Comptroller of the Customs indeed represent it as a "numerous Mob" but they being particularly interested, their fears might deceive them. — It was not a numerous Mob; nor was it of long continuance, neither was there much mischief done. It was occasioned by the unprecedented & lawful manner of seizing the Vessel by the Collector and Comptroler: And considering their illegal proceedings in making the seizure, attended with the most irritating circumstances which occasioned the Mob — the intolerably haughty behavior which the Commissioners who ordered this

seizure, had constantly before discovered toward the people — the frequent threats which had been given out, that the Town should be put under a military government, and the *armed* force actually employed as a prelude to it, it cannot be wonder'd at, that in a populous Town, such high provocations, and the sudden exertion of lawful power, should excite the resentments of some persons beyond the bounds of reason, and carry them into excess. — We cannot state the circumstances of this affair with greater impartiality, than by reciting the Sentiments of his Majestys Council after two days enquiry and consideration, in their own expressions Viz^t. — “His Excellency having laid before the Board a representation of some transactions relating to and in consequence of the disorders in the town of Bostown on the evening of the 10 of June last, the Board The Board think it necessary *in Justice to the Town* and Province, and in vindication of themselves, to make some observations thereon, and to give a fuller Representation than is contained in the paper laid before the Board. “With regard to the said disorders it is to be observed that they were occasioned by the making a seizure (in a manner unprecedented) in the Town of Boston and the said tenth of June, a little before Sunset when a Vessel was seized by several of the Officers of the Customs; and immediately after on a signal given by one of said Officers, in consequence of a pre-concerted plan, several armed Boats from the Romney Man of War took possession of her, cut her fasts and carried her from the Wharff where she lay into the Harbour, along side the Romney which occasioned a number of people to be collected, some of whom from the violence & unprecedentedness the proceEDURE with regard to the taking away of the said Vessel, & the reflection thereby implied upon the Inhabitants of the Town as disposed to rescue any seizure that might be made, took occasion to abuse & insult the said Officers, and afterwards to break some of the windows of their dwelling houses, and to commit other disorders. Now tho' the Board have the utmost abhorrence of all such disorderly proceedings, and would by no means attempt to Justify them, they are obliged to mention the occasion of them, in order to shew, that however culpable the said disorderly persons were, the Officers who seized, or those by whose orders such unusual & violent measures as were pursued in seizing and taking away the said vessel, were not faultless: It being highly probable that no such disorders would have been committed if the vessel had not been

with an armed force, and with many circumstances of insult and threats, carried away from the wharff." —

The Council further say, "with regard to what happened on the 10 of June it seems to have sprung wholly from the persons who complain of it, by the plan laid and the orders given for making the Seizure aforesaid; and carrying it away by an armed force. Which circumstances together with the time of day of seizing the Vessel, makes it seem probable that an uproar was hoped for and intended to be occasioned by the manner of procecedure in making the seizure."

From this impartial state of the matter, it must Evidently appear to every candid mind, that the opposition was made, not at all to the seizing of the Vessel by the Officers of the Customs but wholly to the manner in which it was secured; and that if it had been done in the usual manner as the Council afterwards said, "it would have remained secure in the hands of the Officers" — this corresponds with the Commissioners own account; for they say in their letter to Governor Bernard, June 12 that they received a verbal message from the people to the following purpose, "that if the Sloop seized was brought back to Mr. Hancocks Wharff, upon security given to answer the prosecution, the Town might be kept quiet." But this pacifick proposal though brought to them as they acknowledge "by a person of credit," they expressly declare "appeared to them as a menace," and it was in fact one of their very reasons for requesting the Governor to give directions that they might be received into the Castle for protection — So totally regardless were they of the peace of the Town, and so excessively fond of being thought by others as important as they fancied themselves to be, that when this reasonable and timely proposal was brought to them even by a person of Credit in *their own* esteem, they haughtily reply'd "that they gave no answers to *verbal* messages" which plainly indicated either a wantonness of power in them beyond all bounds, or the hopes if not the intention of a further uproar. —

Governor Bernard tells his Lordship that this Riot "had very bad consequences," which is undoubtedly true: The exaggerated accounts which he and the Commissioners gave of it to the Ministry, and their taking occasion to represent the Town itself as in a state of disobedience to all law and authority, and indeed the whole Continent as ripe of a revolt, were attended with the worst of consequences to the Town. The Commis-

sioners say in plain terms that "there had been a long and extensive plan of resistance to the authority of Great Britain" and that "the Seizure referred to" had hastened the people of Boston to the commission of actual violence sooner than was intended." Such inflammatory representations as these had the effects which they had long wished for ; and induced the Ministry to order two other Regiments to this Town ; the consequence of which if they or any Of them are continued, it is to be feared, far from reconciling the people to the present measures of Administration, will only increase their discontent, and even alienate their Affections. —

The Governor in the Postscript to his Letter June 13 mentions his having intelligence from the Commissioners of some *particulars* from whence *they concluded*, that they were immediately exposed to further violences, and desired protection at the Castle — This intelligence is contained in their letter of June 12 Just now mentioned, wherein they take upon themselves to charge the Government with having used no measures for securing the peace of the Town, alledging in general terms that "there was the strongest reason to expect further violences," and they further say, that "his Excellency himself had acquainted them that *Boston was no place of safety for them.*" Here we see that the intelligence which the Governor represents to his Lordship as having been received by him from the Commissioners, he first communicated to them ; and thereupon they grounded their pretended fears in their Letter *to him*, and desire the protection of the Government. This is all of a piece, and may serve to explain the *frequent rumors* of an insurrection, mentioned in a former letter, and from what quarter these frequent rumours came. It shows the Combination, and the settled design, of the Governor and the Commissioners to blacken the character of the Town ; and how dexterously they can play into each other hands — The Governor the next Day June 13 wrote to the Commissioners, and acquainted them, that having communicated their Letter of the twelfth to the Council, they desired him to inform them that during the sitting of the Council on Saturday Morning, there was no reason at all given to expect further violences, and that there was no apprehension either in the *Governor* or the Council of an immediate danger." It is incumbent on the Governor or his friend *if he has any*, to reconcile this with what he had before told the Commissioners "that Boston was no place of safety for them."

It seems Governor Bernard was perpetually teizing the Council with the Commissioners vague reports of an insurrection, and of the danger they were in; and indeed it appears to be the main point in view to perswade the Council if possible into the belief of it, or if not, to form a complaint to the Ministry that they were negligent of their duty in not advising to proper measures for the Protection of the Commissioners; and from thence to enforce a necessity of military force to restore and support Government in Boston — Why did he not lay before the Governor the *particulars* which he tells his Lordship he had received from the Commissioners, from whence *they concluded* that they were exposed to further violences? This we hear nothing of; perhaps the intelligence, like that which he mentions in a former Letter “was of such a nature as that he could not make use of it in publick.” He indeed tells the Commissioners that he had informed the Council of their *present* apprehensions of further violences, and that they were then taking the same into consideration.” — But he should have fairly represented this matter to the Commissioners, and told them that the Council had already taken the same into consideration, and come to a conclusion as in fact they had; for by their own minutes we find that “the matter being *fully debated* it appeared to the Board, that there was no immediate danger of fresh disturbances” they at the same time advised that the matter should be laid before the General Court then sitting, and postponed the consideration of it by them *as of Council to the Governor*, till the effect of such a proposal should be known. All this the Governor knew; how then could he consistently say they were *then* taking into consideration? He tells Lord Hillsburrrough that “he was against the business being laid before the General Court but was obliged to give it up”; and that “he had many objections to the measure.” We knew very well that the drawing this matter into open day light, would effectually defeat his design; and that the intention of bringing the Council, if possible to Join with the Governor in requiring the military force, or accusing them of negligence in case they did not, would thereby be intirely frustrated — The removing the business to the General Court, he tells his Lordship was however, upon one *consideration* not “intirely to his dissatisfaction” for he says it was not then in a great measure “taken out of his hands”; and he concludes that “as he cannot conduct this business as it ought to be,” or rather as he chose it

should be, "it may be best for him to have but little hand in it." — It may not be amiss here to recite the declaration of his Majestys Council at a full Board on the 29th. of July, six Weeks after the Commissioners *voluntary* exile to the Castle in consequence of these *pretended* apprehensions of Further violences. The Council say "the Commissioners were not obliged to quit the Town; there never had been any insult ever offered to them; their quitting the Town was a voluntary act of their own; we do not apprehend there was any sufficient ground for their quitting it, and when they had quitted it, and were at the Castle, there was no occasion for Men of War to protect them." Such an authority will no doubt be deemed sufficient to vindicate the Town from this aspersion; especially as the Council had then had time coolly to recollect the matter: As they had born their full testimony against the disorders, and taken every step which belonged to their department, to bring the Offenders to condign punishment: But more especially as that very Board had always before Supported the Governors measures to the utmost extent that their consciences would allow, and many times against the general sentiments of the people, for which they had gained the Governors applause, and his particular recommendation to his Majestys Minister, and he himself could at this time have no other exception to any part of their conduct, but their opposition to his *favorite* plan to introduce a military Government into the Town, without the least colour of necessity, and thereby to break through the moulds, and tear up the very foundation of the civil constitution. —

The Governor in his Letter to Lord Hillsborough of the 14th June being resolved to give his Lordship an exact *detail* of every occurrence "from whence the most dangerous consequences are to be expected," take occasion to mention, "a paper stuck up on Liberty Tree" this paper he has said in his letter of the 13 contained "an invitation of the Sons of liberty to meet at six O'Clock to clear the land of the vermin which were come to devour them" A very innocent if not laudable proposal, for which the Country should think itself obliged to them, to be sure if they could have effected their design. But in this letter it is called "a violent and virulent invitation *to rise that night* to clear the Country of the Commissioners and their Officers to avenge themselves of the Custom house Officers, and put one of them to death!" And still more alarming, "there were also some indecent threats against the Governor!" Could the Governor

think that by the Vermin that were come to devour the land they meant his Excellency and the Commissioners? But perhaps the mind of the Sheriff who brought this information to the Governor was somewhat agitated with the fears of an insurrection; and moreover, we may presume that he had not seen the paper himself, but took it from *report*, in conformity to the example of the Governor, who believed or *pretended to believe* every word of it, till he had the *mortifying* sight of the true contents of this *very important* paper; of which the following as he at length tells his Lordship is “an exact copy,” viz^t.—

Boston June 13 1768 The Sons of liberty request all those who in this time of oppression and distraction wish well to and would promote the peace, good order and security of the Town and Province, to assemble at Liberty Hall under Liberty Tree on Tuesday the 14 Inst., at 10 O’Clock precisely.—It might have been supposed that so harmless a thing would have given offence to none. In the first place the matters alledged in it were confessedly true: That this was a time of oppression, the people all felt: That it was a time of distraction, the Governor and the Commissioners loudly proclaimed: A design then at such a time to promote the peace good order & security of the Town, was at least unexceptionable. But the Governor complains that “it was not considered as an implication of danger.” Strange would it have been indeed if so salutary a proposal as the promoting the peace good order and security of the Town had been thus considered. “Neither, says he, was the impropriety of the sons of liberty appointing a meeting to secure the peace of the town, when the governor and council were sitting upon that business, and *seemly to little purpose*, taken much notice of.” but surely if the Governor and Council could be supposed to be setting upon *such business*, at *such a time*, and *seemly to little purpose*, there could be no great impropriety in other peoples undertaking. But without adopting by any means the measure, is not here a striking instance of the disposition of Governor Bernard, and some others to receive with the greatest avidity the most exaggerated accounts of every trifling occurrence that has happened, and without any enquiry, to paint them to the Ministry in the deepest colours! Behold a Meeting the professed design of which was to promote the peace, good order and security of the Town, and that in open daylight, represented to the Kings Minister as a Meeting designed to be held at Six O’Clock, near Sun-Set, in one letter; and in another the next

Day. "a most violent & virulent invitation to *rise that night?* and Clear the country of the Commissioners, — threaten the Governor and commit murder"! In consequence of which he tells the Council, there is "no time to enquire into the particulars of the former riot." They are to be hurried to measures to provide for the *peace of the Town*," and to prevent "new disturbances premeditated" and "immediately threatned;" and his Lordship is to be forthwith informed of it. — Certainly every candid person will from hence be inclined to believe all that Governor Bernard relates to the prejudice of this Town, or any particular persons, with great discretion. —

His Letter of the 16 of June, for he seemed to be almost every day employ'd in writing his "Detail" — of *common reports*, gives the Earl of Hillsburrrough an Account of "the Meeting at Liberty Tree in pursuance of the printed notice." And after entertaining his Lordship with a particular tho' awkward and inconsistent description of the Tree, the vast height of the flag staff, and the design of hoisting the flag staff, and the design of hoisting the flag, namely "for a signal," which to be sure must be a discovery quite new to his Lordship, he proceeds to say; that "at least 4000 Men assembled," that "the principal Gentleman attended to engage the lower people to concur in measures for peace & quiet," which was the professed end of their meeting — that "one of the Selectmen was chosen Moderator or Chairman" — that they adjourned to the Town Hall" for the accommodation of so large a number. And there it being "objected that they were not a legal meeting" they adjourned to the Afternoon," he should have said, broke up; and the Selectmen instead of "legalizing the Assembly" as it is odly expressed, called a Town Meeting agreeable to the directions of the law, to meet in the Afternoon. All this was certainly an innocent proceeding, and the Governor himself, it is presumed did not think otherwise, for it happens for once, that he makes no particular remarks upon it; and if it should be said of them, that they met seemingly to little purpose, it might be said truly enough; but it is to be remembred, that another Assembly, with their Chairman at their head, if the Governor's ludicrous account of the Meeting of that very respectable body could be credited, might in that respect keep them in countenance — But innocent as it was, the Governor did not choose it should be thought that *he* viewed it in that light, and therefore told the Council, & his

Lordship afterwards that “had it been the first business of the kind, he should have asked their advice, whether he should not send to the General for Troops: And to show his own excessive fondness for so arbitrary and violent a measure, he adds, that “he was ready to do it, if any one Gentleman would propose it”!

The Governor then proceeds to give a *detail* of the Meeting of the Town in the Afternoon; in which he tells his Lordship that “many wild and violent proposals were made.” It ought here to be observed that Governor Bernard constantly represents bodys of Men, even the most respectable, by proposals made by Individuals, which have been misrepresented by Pimps and Parasites, and perhaps aggravated by himself, instead of allowing them to stand or fall by their own conclusions — Can any thing be more base, more contrary to equity than this? — What should we think of the most respectable Corporations at home — What even of both Houses of Parliament, if they were to be Judged of by every motion that has been made, or every expression that has dropped from Individuals in the warmth of debates? If it had been true that such proposals had been made, nay, if measures that could not have been altogether Justified, had been even adopted by the Town, at a time when every art had been practised to irritate the people and inflame their minds, the candid part of mankind would have been ready to overlook it. — The Governor has often been observed to discover an aversion to free Assemblys: No wonder then that he should be so particularly disgusted at a legal Meeting of the Town of Boston, where a noble freedom of speech is ever expected and maintained: An Assembly of which it may be Justly said, to borrow the language of the ancient Roman, with a little variation, *Sentire quæ volent et quæ sentiat dicere licet*, They think as they please, and speak as they think. — Such an Assembly has ever been the dread — often the scourge of Tyrants — But these “wild and violent proposals,” which no one can recollect but the Governor, and perhaps his Informers, it seems were “warded off,” as the Governor is pleased to express it, from whence it may be supposed that prudence, directed at this Meeting, “originated & composed as he says it was” — By these expressions it is conceived, he would intimate to his Lordship that it was both illegal and tumultuous; and if that was his real intention, the insinuation was both false & injurious. — The Meeting was “originated” as the law directs,

and nothing was there concluded upon according to the Governors own account, but the appointment of a Committee, which he himself says "in general was very respectable," to wait on him "with a petition;" the receiving his answer, as he is pleased to say, with "universal approbation"! writing a letter to a friend, & voting such Instructions as they thought proper to their representatives, after which he tells his Lordship they "broke up *quietly* and the Meeting ended." But notwithstanding this *quiet* and as may be concluded by the Governors account of it, *coolizing* Town Meeting, which consisted of so large a number, and among whom he himself was so "popular" that even the Moderator declared that he really believed he was a well wisher to the Province," (Thus saith Governor Bernard, but no one remembers or believes it) yet all this will not avail to soften his mind or alter his intention. And altho' he tells his Lordship "the Romney and a Sloop of 16 Guns Just come in will compleat the command of all the approaches to the Castle, and other Ships of War are expected, so that the security of the Commissioners is effectually provided for"; yet the *favorite point* will not be carried, till the long wished for Troops arrive, to enforce his arbitrary Designs, and suppress the spirit of liberty. And now is the time, if ever, to press the matter: Every hand therefore must be set to work, and nothing will serve the cause like continually holding up the Idea of an *Insurrection*. Accordingly we find one of the Auxiliaries, whose Letter tho' anonymous, has credit enough to appear in the lists laid before Parliament, says "It is my opinion that the promoters of the present evils are ready to unmask, and openly to discover their long and latent design to REBEL" — and — "involve this Country in blood and *horror*!" Another anonymous writer, who is said to be "well acquainted with the state of the Town of Boston," says, that "He observes a sourness in the minds of the people in *general*, and adds, he that runs may read, that without *speedy interposition* a great storm will arise." — The Collector and Comptroller of the Customs mentioned *with deep concern*, as they affect to express themselves "that a *general spirit of Insurrection* prevails, not only in the Town, but throughout the *whole Provinces*." The Commissioners themselves in their letter to General Gage tell him "that it is utterly impossible to carry on the business Of the Revenue in Boston, from the outrageous behavior of the People" They acquaint the General "of the alarming state of things in the

Town and desire him to *give them protection.*" And tho' Governor Bernard when not so much on his guard, or perhaps under some little compunction of mind in his letter to the Commissioners, June 13 gently chides them for their ill grounded fears, and tells them "he is *very sorry* that they think themselves so much in danger in Boston (which he had before said was no place of safety for them,) as to think it unsafe for them to reside there" notwithstanding all this, yet in the letter we are now considering, which was written nearly at the same time, he positively assures his Lordship that if there is not a Revolt, the Leaders must falsify their words & change their purposes. Perhaps he would have been more consistent if he had imagined these letters would ever have Seen the light. He concludes his letter with mentioning a few more papers stuck up on the Town House.— No evidence however appears to have accompanied all these heavy charges upon a whole Community: But Governor Bernard and others seem to have conducted their proscriptions as if they could have even foreseen, that the bold assertions of persons apparently inimical to a Country, anonymous Letters, Street conversation picked up by Pimps and Spies, and Papers stuck up by no one knows whom on a publick Building, would be of so much weight as to influence the measures of Administrations! Can any Person believe this a Just representation, when Governor Bernard with all his Industry and *aid* has not been able to furnish proof that any Body or Combination of Men, or even a single Person had incurred a legal penalty, if we except the disturbances that happened on March and June already considered. —

The Governor in his letter of the 9 of July informs his Lordship of a manoeuvre, as he calls it, of the Sons of Liberty; a number of them going out of Boston at the close of a certain day in parties, and meeting on each side of a House in Roxbury, which Mr. Robinson (and his Lordship must be informed that he also was one of the Commissioners) had lately hired with an attention to surprize him and prevent his escape; but he being at the Castle, *where the Commissioners had been driven for safety*, they did nothing but plunder his Fruit Trees. This is a very solemn account indeed. But he never laid this "manoeuvre of the Sons of Liberty," *extraordinary* as it was, before the Council, which he never failed to do on like occasions; thinking possibly, that respectable Body might be of opinion, that a Gentleman of any political party may be supposed to

have his Orchard or Fruit Gardens robbed by *liquorish Boys*, without making a formal representation before his Majestys first Minister of State. As the Governor will still have it that "the Commissioners were *driven* to the Castle for *safety*," we take occasion to observe here, that it was notorious, that they frequently landed on the Main, and made excursions into the Country; visiting the Lieu^t. Governor and other Gentlemen at their Seats, where it would have been easy to have seized them if any injury had been intended them; which as his Majestys Council very Justly have observed, "demonstrated the insincerity of their declarations," as it did those of the Governor "that they immured themselves at the Castle for safety." —

Another part of the detail in this Letter is the Rescue of a Vessel which had been seized by the Custom house Officers. It seems by Governor Bernards Account, it had been "thought proper to try an experiment" for says he, "When the Sloop was Seized which occasioned the Riot, and in consequence of which the Commissioners were obliged to leave the Town, the greatest part of the resentment was expressed against the putting her under the care of the Man of War" which was very true, and he might have also said, the making the seizure with an *armed* force, and therefore he adds, "when the Schooner was seized it was left at the Wharff under no other care but two Custom house Officers," in hopeful, no doubt, if not certain expectation that the rescue would be made, from whence it might possibly be made to appear that the resentment against the proceedings of the Custom house Officers in the former instance, as being violent and illegal, was mere pretence. The Rescue was made, and it was universally displeasing to the Town. The Governor says, "this very Molasses was the next day returned" and tells his Lordship that "the Selectmen of the Town sent for the Master of the Schooner," and "ordered him to return it under pain of the displeasure of the Town;" which is a gross misrepresentation of the matter, and artfully designed for to prepare for the subsequent ungenerous remark that "all Government is now in the hands of the People." A good magistrate would have rejoiced in this instance of the Peoples voluntarily affording their aid in the recovery of the Kings due which had been rescued from him, without torturing his invention to find an illnatured construction for it. But Governor Bernard is disturbed that "the humor of the people"

which he says this was done “to please” should ever coincide with their duty to the Sovereign — The voluntary Association of the People to promote peace and good order, he had before said “carried an implication of danger” to the Government; and now when they seem to unite in taking measures for the execution of a law, although in its nature disagreeable to the People, why truly “the Government is in the hands of the People, and not of those deputed by the King, or under his authority.” But if the People had a view to save their own reputation in this piece of service to the Crown, as the Governor intimates surely he will not say it was “ill judged,” or “ill timed.” The truth is they had a *particular* view at this time to prevent Governor Bernard, improving the rescue, which they were in no sort concerned in, to the prejudice of the Town, as had been his constant practice in other cases and as it now evidently appears he intended: And it was certainly a wise precaution; tho’ a candid mind will by no means exclude any other good intentions. — We cannot forbear taking notice herewith *freedom* of a very extraordinary assertion of Governor Bernards — in this letter to his Lordship, that “every seizure made, or attempted to be made on land in Boston for these three Years past, before these two Instances had been violently rescued or prevented” — An assertion so notoriously false, that few Men could have made it without blushing and we may suppose even Governor Bernard himself could not have made it had he apprehended it would ever have become publick.* The Officers of the Customs themselves will not venture to Affirm it. If the assertion is true, his Majestys Council must have been egregiously mistaken when they declare that “no instance can be Aleged of any Vessel seized, or any seizure whatever in the Town of Boston being rescued out of the hands of the Officers, except what took place here on the 8th. of July Instant, when a quantity of Molasses (this very Molasses) having been seized, was taken away from the Officers who had charge of it; which unwarrantable proceeding being universally condemned, the

* It is remarkable that Governor Bernard not long before these letters were made public, expressed to a certain Gentleman, his earnest wish that ye. people of this Province could have a sight of all his letters to the Ministry, being assured that they would thereby be fully convinced that he was a friend to the Province — Indeed he made a declaration to the same purpose in one of his publick speeches in the House of Representatives. Upon ye. arrival of the letters however, he discovered as some say a certain paleness, & complain’d of as a hardship that his letters wrote in *confidence*, should be exposed to the view of ye. Public — A striking proof of the baseness, as well as the perfidy of his Heart. —

Molasses was very soon returned," As this base story was *invented* and told by Governor Bernard, with the sole intention of casting an odium upon the Town, we have reason to expect his retraction of it; or he must bear the reproaches of an highly injured community, and the Just censures of all impartial Men. After these false and injurious assertions, he thinks it a proper time to acquaint his Lordship, that the one Regiment which had the flattering expectation of, from a letter he had received from General Gage, "tho' it might secure the Castle would not be sufficient *to awe the Town* ; which was in effect asking for *more*. Thus we see the means which Governor Bernard and his Confederates have been incessantly using to accomplish their designs ; and strange as it may in some better times hereafter, these means and these very Instruments at length prevail'd to introduce a military power into the Town — A power which is dayly trampling on our laws, contemning our Religion, and invading the Rights both of Persons and property — A power by which a truly loyal & but long abused and highly provoked Community, is not indeed *awed* but distressed — And were it not for the certain advice, that our humble and dutiful supplications have at length reached the Royal hand, we should be reduced even to a state of desperation !

Governor Bernard in his letter to Lord Hillsburrrough of the 16th. Septem^r. begins with acquainting his Lordship with the *prudent* methods he took, to communicate the expectation of the Troops *gradually* for fear of certain ill effects that might arise from their sudden arrival. And no wonder that the Man who had long been representing a whole Country as REBELS ; & had been *one* of the *principal* Instruments in bringing such a curse upon it, should at that Juncture be under some apprehensions of danger —

In his last letter he talks of his *personal courage* and tells Lord Hillsburrrough that "he did not feel his own *firmness of mind* to fail": He also mentions "the *spirited conduct* of the *Lieut. Governor* ; and with pleasure assures his Lordship that "he could depend upon *his* resolution and steadiness as much as he could upon *his own* " ; from whence he concludes that "there would be no want of a *due* enforcement of the laws to the correction of the present abuses" — But *now* he seems to be conscious of fear ! Happy was it for him, that he was in the hands of a People ; who attended to the dictates of sound policy, religion and loyalty — He first opens this matter to one of the

Council, and tells him that "he had private advice that Troops were ordered hither, but that he had no public orders about it himself"; and he observes that "it was quickly very thoroughly circulated all over the Town" and the Faction immediately took the alarm" By this he would insinuate that the better sort of the People and even the generality of the Town were well enough pleased with it. If the Faction *only* took the alarm, generality of the Town must have been included in the Faction: For in truth, he had the mortification of setting the whole Body of the People, saving his own very few adherents who were properly an *implacable Faction*, thoroughly awakened and alarmed at the sudden expectation of a military force, which had indeed been often threatened by this Faction, but few realized it before — And now the Pimps were all immediately sent out, who no doubt were rewarded in proportion to their success in the business; and the Governor soon had intelligence brought to him of the conversation of "*private companies*" And that in one "it was the general opinion to raise the Country and oppose the Troops"; in another "it was resolved to Surprise & take the Castle." How ridiculously impertinent must he appear in the Eyes of Men of sense, after all to acquaint his Lordship that "he does not relate these accounts as *certain facts*." To what purpose then did he relate them at all! It seems that he was full as *designing* in communicating to Lord Hillsburrrough, as he was in communicating to the People, tho' his designs were different: For the People were not to be told the *whole* that the Governor knew to be true; but his Lordship was to be induced to Believe *more*: — In either case if the purpose could be served, Sincerity was out of the question. Uncertain however as these Facts were, his Lordship was informed that they were yet "believed"! Strange as they were said to be facts of yesterday, that no one, after all the pains that had been taken, could make them certain; and if they were not to be made certain, stranger still that any in their senses should *believe* them. Some Men are very apt to believe what they *wish* to be true: This no doubt is the present case — And besides we are to remember, that more than two Regiments were wanted to *awe the Town*; and if the Governor could boldly say, that these reports vague as they were, had obtained any credit here, no matter by whom believed, they would have some weight. But he must be presumed to think very injudiciously of the head or the heart of a *Minister of*

State, to suppose that such an undigested and ridiculous account of things would influence his measures. Nothing we should think but the great candor which has ever appeared in Lord Hillsburrrough towards Governor Bernard, could have prevented his severest censure — But admitting they were true, which was by no means the case, certainly the Town is not accountable for what one of his Excellencies Spies might have overheard in “a private Company.” — Let us then consider the account the Governor gives of the publick conduct of the Town, at a Meeting legally called on Monday September 12. And first he says, “at the Hall the Faction appeared surrounded with all its Forces”; and an appearance *very decent* at least, it seems they were capable of making according to the Governor’s account. For he tells his Lordship, “a set of speeches, by the Chiefs of the Faction, and *no one else* followed in such *order & method*, that every thing both as to *matter* and *order* seemed to have been preconcerted”; while alas! the “very few principal Gentlemen there,” the better sort in the Governor’s estimation, appeared “as curious perhaps *anxious* Spectators”! Where is now the little remains of an *aspiring Faction*, which he had so often told the World of? The tone is wonderfully altered; the Body of the People are now *truly* represented as united firm and regular in their opposition to his measures, while his own *few Partizans*, Who yet must be stiled “*the principal Gentlemen*,” tho’ expecting every moment to be “surrounded with all *their* Forces,” appeared inquisitive and *anxious* for the event! But nothing was resolved upon, says the Governor, but to put two questions to me, and appoint a general Committee to consider and report.” The main question to the Governor was. Whether he had certain expectation of the Troops? To which he answered with an artful ambiguity, that he had private advice, but no publick orders about it. His private advice might have been *certain*; or he might have had *authentick* public advice, without public orders about it, for General Gage was Commander in Chief of the King Forces. Being however somewhat pressed by the Committee who waited on him, he discovered a duplicity for which he has a peculiar talent, and said that he would not have the Town *certainly* expect the Troops; altho’ he then expected them himself, & fully believed they were on their passage from Halifax, and in this letter to Lord Hillsburrrough he tells him, that it was at that very time his attention to communicate these expectations

of them *gradually* His account of diverse speeches made in the Town Meeting is as uncertain, and with regard to some of them as untrue, as the intelligence he had received of the *private conversation*: Perhaps it was carried to him by the same hands, as some of *his* principal Gentlemen were there. The Resolves and determinations of this Meeting, as the Governor says, were published to the World; and they remain on the Records of the Town that Posterity may Judge of them. The Town has Seen no reason since to revoke these Resolves, notwithstanding they have been sentenced as “very dangerous Resolves procured by mad People,” by so exquisite a Judge in matters which regard Civil Government, as well as so polite a Gentleman as General Gage. The Governor himself has been since respectfully requested by the Selectman, in behalf of the Town to shew in what respect the Resolves & proceedings of this very Meeting had militated with law; but he declined it, because he was notable to do it. Spirited indeed they were, but not too spirited for the times—When the Constitution, *threatned* is the principles of the Constitution must if ever be asserted and supported—the Governor indeed takes notice of our claim to a certain clause in the Bill of rights as “a large stride” But as we are free British Subjects, we claim all that security against arbitrary power, to which we are entitled by the Law of God, and nature as well as the British Constitution. And if a standing Army may not be posted upon the Subject in one part of the Empire in a time of peace, without their consent, there can be no reason why it should in any other; for all British Subjects are or *ought to be* alike free. —

The Governor in a former letter to Lord Hillsburrrough mentioned the Selectmens ordering the Arms belonging to the Town to be brought out and cleaned; and to make something of the story, he told him that “that they were exposed some hours at the Town House”: In this letter he says “these Arms were deposited in Chests, and laid upon the floor of the Town Hall *to remind the people of the use of them* Could any one besides Governor Bernard, descend to so pitiful an artifice as to insinuate that these Arms were cleaned, exposed to the People, and finally laid on the floor of the Hall at this Juncture, to induce his Lordship to believe, that these were the Forces with which the Faction appeared “surrounded,” and that the Selectmen who are the principal City Magistrates, and the leading part of the Town itself, were actually in the plan which he had Just before men-

tioned, as concerted in one of the private Meetings “to raise the Country and oppose the Troops”; And that these Arms deposited in Chests were laid on the floor of the Hall “to remind the People of the use of them”—, and inspirit them for the purpose of opposing the Troops. Whereas the simple truth of the matter is, these Arms had for many Years been deposited in Chests and laid on the floor of the Town Hall; but the Hall itself being burnt a few Years ago, the Arms were saved from the Ruins and carried to the Town House: After the Hall was Rebuilt the Town ordered their removal there; and tho’ it happened to be done at a Juncture when the Governor and his Confederates talked much of the Towns *revolting*, there was no other thought in the minds of any, except the Governor and a few more, and it is a question whether even he, or they, really thought otherwise, but to lodge them in their *usual* & proper place. We cannot help taking notice how very exact the Governor sometimes is even in the choice of words, in his “detail of facts” to a Minister of the state: An instance of which we have now before us, wherein he mentions to his Lordship his inclosing “a blank Copy of the *Precept* (as he is pleased to call it) which the Selectman have used,” it is a wonder it was not *issued*, for that would have made it appear more *formal* “in calling together the Convention”; from whence he takes occasion to say it was “a daring assumption of the Royal authority.” Here then is the treason and misprision of treason, or a part of it at least, about which there has been such an eclat of late; for which the Governor tells his Lordship in this *detail* of the Convention every well wisher of the Province, of whom he is doubtless one, “most devoutly desires the Charter may be forfeited”—and some of the Leaders were to be sent to England to be tried there—Nay his Lordship or some one of his Majestys Servants is informed that they expected it themselves for Commander Hood in one of his short & pithy Epistles, says, “they were alarm’d and expected nothing less than a Voyage to England against their inclinations,” but his Lordships *deep* penetration might have discovered that this “Precept to call a Convention” was nothing more than a *friendly circular letter* to the Selectmen of the several Towns in the Province *desiring* them to *propose* to their respective Towns the sending a Committees, to Join with those of the Town of Boston, in consulting measures to promote peace and good order; which was so far from an assumption of the Royal authority, that it assumed not

the least shadow of any *authority* whatever — This very innocent measure of the Town in “calling together a Convention” as the Governor expresses it, which he so highly sensures, and upon the promoters of which he loudly calls for the National vengeance, was most certainly attended with all the happy effects for which it was proposed : For the general sentiments of the Province was thereby Collected, which could not otherwise have been done ; the Governor having arbitrarily dissolved the General Assembly, and positively refused to call another, against the dutiful Petition of the Convention itself, as well as of the Town Even before they proposed or thought of it — The Several Towns having an opportunity of conferring together by their Committees, had the same effects which followed a certain *circular letter*, which formerly so perplexed his Excellency ; for the People became the more united in the measures proper to be taken for the preservation of their common rights at so critical and alarming a Juncture. And tho’ the Governor says “at the Fountain head it was intended to provoke resentment,” yet to this very measure have been imputed, in some small degree very Justly or not, it becomes not this Town to say, that *prudence* as well as firmness and perseverance in the cause of liberty, of which it is hoped this Country will ever avail itself, even Governor Bernard cannot but own that the Convention discovered “moderation” and a “temperate conduct,” which is far from being inconsistent with *true fortitude* : But he is not willing that the Town of Boston should “assume the merit of it.” They are very far from a disposition thus to assume : They are content to have that share of merit which their beloved Country Men are willing they should have. And tho’ he would insinuate to his Lordship with his usual cunning, that there was at the Convention an essential difference of sentiments between the Town and the Country ; and that “many of the *Deputies* came down with a disposition and Instructions to prevent the Bostoners (as he elegantly expresses himself) involving the Province in the consequences of their own mad devises” ; and that many of them “were from the beginning sensible of the impropriety and danger of this proceeding,” his Lordship as they printed what they did, has no doubt been since convinced, that they were *united* in their Sentiments of the common cause —

But this very peaceable proposal, the Governor thinks exceeded the “Great Rebellion when it was at the highest, and the

confusion arising therefrom most urgent for some extraordinary measures." Here is the burden of the Song — *extraordinary measures!* And surely his Lordship must propose some very *extraordinary measures* to chastise a *greater* than the great Rebellion, even when it was at the highest — Not content with pouring forth this torrent of Zeal, the Governor still presses upon his Lordship; and assures him that "unless it is prevented by some power without, not only the Crown Officers, will be excluded, but every ingredient of Royalty" in the Government of the Province will totally be destroyed — What Rhetorick! to arrest his Lordships attention, and hurry him on to conclude with the Governor, that "the force already ordered by General Gage viz^t. — two Regiments will not be sufficient." — In order still to heighten the Ideas of an intended Rebellion, the Governor adds "it is now a great question whether the Kings Troops will be suffered to enter the Town or not." And "the design against the Castle is now so well known that it is probable that the very names of the People who were enrolled for that service to the number of five hundred, or of the Chiefs of them will be discovered." It is pritty remarkable the Governor in the former part of this letter informed his Lordship, that he did not relate *this very* account as a certain fact; his Spies must then make very quick rotations, and the intelligence flow in very fast, to be so well assured of it before he concluded; or the Governor must be so unfortunate, perhaps not having time in the multiplicity of his affairs, to keep a regular *diary*, as to forget what he had wrote, and as we now and then find it happens, in the "overflowings" of his Zeale, to be inconsistent with himself. —

It would be an endless task to take particular notice of every false and injurious representation contained in the voluminous Letters. * No one can read them without being astonished at

* Indeed it might be said *the whole world would not contain* all the remarks that might be Justly made upon them. One instance however seems to be overlook'd by the Town, and as it is an instance of importance, it is hoped, its being noticed in the margin will not be thought amiss. The Governor after having prevail'd on the Council, at a very *thin* Board, and by a majority of *one* only out of *eleven* Gentleman present, to advise to the clearing of the Manufactory House in Boston, for the reception of A part of the two Irish Regiments then expected, in his letter to Lord Hillsborough of Novemr 1st he gives him an account of the steps he had ordered for *the removal of the Families* out of the House. And it seems that the Governor, by a power which he had *assumed*, appointed the Sheriff and two of his Deputies, Baliffs for the Governor and Council for the purpose; These Families, however, refused to submit to *such* authority even tho' the Chief Justice himself *condescended*, to go with the Sheriff, and *advised* them to give up the House. The Sheriff upon the thrd attempt says the Governor, "finding the Window opened entered; upon which

seeing a Person in so important a department as Governor Bernard sustained, Defending in his Letters to a Minister of State to such trifling Circumstances and such slanderous *chit-chat*: Boasting, as he does in one of his Letters of his *over-reaching* those with whom he was transacting public business; and in order to prejudice the most respectable Bodys, meanly *felch*ing from Individuals belonging to those Bodies, what had been drop'd in the course of Business or Debate: Journalizing every

the People gathered about him and shut him up; he then *made a signal* to an Officer who was without, *who brought a party of Soldiers*, who took possession of the yard of the Building, and relieved the Sheriff from his confinement" — This is the Governors account of the matter; but others give a very different account of it, and say that the Sheriff attempted a *forceable* entry, and was resisted by the People within the house; and by them only: Certain it is that one of them commenced an action of trespass against the Sheriff; but what became of the Action the Records of the Court of Common Pleas will best shew: It is also certain that an Officer a *military* Officer, was without and *at hand*; and upon a signal from the Sheriff, brought a party of Soldiers, the whole Regiment being then incamped in sight on the Common and the Soldiers (not the inhabitants as the Governor asserts) "kept the House blockaded all that Day and best part of the next." It is further certain and it may be attested by the oaths of several persons of credit that offers were made to the Sheriff, of sufficient aid in the *legal* execution of his Office, if he would dismiss the Troops; illegal steps being at the same time excepted against — Great numbers of people during the *Siege* as it may be properly called, were collected in the Street, which is as spacious as in any part of the Town, but the Governor owns they did no mischief: He indeed represents it in his usual manner as a GREAT MOB assembled with some of the *Chiefs of the Faction*, intimating thereby as in his former letters "an intended insurrection": The General on the other hand says the matter "occasioned a *little disturbance* of no consequence"; but takes care to add, that "it served to show a most obstinate spirit of opposition to every *measure of Government*" The Governor further says, the Inhabitants "were very abusive to the Soldiers": — The contrary is most certainly and *notoriously* true. He says also that "the Soldiers were withdrawn on the Evening of the second Day": So far is this from truth, that the Guard of Soldiers, to whose custody the Sheriff committed the Cellar of the House, which he had got the possession of, kept their post *a much longer time*; and application was made to diverse of his Majestys Justices of the Peace for their removal *by the force of law* near three weeks after. And again the Governor says, that "this Building was kept filled with the outcast of the workhouse, to prevent its being used for the accommodation of the Kings Troops"; which is contradicted by the *Oaths* of all the Overseers of the poor, who must have known it had it been true, for the care and Government of the Work-House is by law vested in them. The truth is the people gathered upon this extraordinary occasion, but were very peaceable; some few it may be to carry intelligence to the Governor, but by far the greater part, from a just abhorrence of this *measure of Government*, to borrow the general expression, and an anxiety for the event of this *first open and avow'd effort of Military TYRRANY!* The Governor declares, that the Council who were alarmed at the violence of this proceeding, must have known that the Entry "could not have been made without *force*," and he sufficiently explain what *sort of force* he meant in the reason he gives why the Soldiers were withdrawn for that time, which was because "the Building was not immediately wanted," the Irish Regiment for whom it was designed as was *pretended* Not being yet arrived — Perhaps the Governor gives this circumstantial account to his Lordship to confirm what he had before said, that "Two Regiments were not sufficient to AWE THE TOWN — This attack upon the security of the Peoples *Dwelling-Houses*, was as *violent* as has ever been known even under the most *despotic* Governments, tho' happily it proved unsuccessful. This is one of the *bright glories* of BERNARDS Administration. He who with so much *readiness* & exact *propriety* afforded the aid of his *advice*, and PREJUDGED the matter, claims however his share in the Annals of fame.

idle Report brought to him, and in short acting the part of a Pimp rather than a Governor. — As these Letters being now made publick, will be a Monument of disgrace *to him*, it cannot be supposed, that any honor can be derived from them, to those great, Men to whom they were addressed, notwithstanding the Town have been obliged in Justice. Justice to themselves; to say this much in their own vindication, we should be yet be glad that the ancient and happy union between Great Britain and this Country, which Governor Bernard has so industriously laboured to interrupt, might be restored. Some have indeed flatter'd themselves with the prospect of it; as intelligence is said to have been received from Administration, that all the Revenue Acts would be repealed: But as it since appears by Lord Hillsboroughs own account, that nothing more is intended, than the taking off the dutys on Paper, Glass, and Painters colours, upon commercial principles only; if that is all it will not give satisfaction: It will not even relieve the trade from the burdens it labours under; much less will it remove the grounds of the discontent, which runs thro' the Continent, upon much higher principles. Their Rights are invaded by these Acts; therefore until they are *all* repealed, the *cause* of their Just complaints cannot be removed: In short the Grievances which lie heavily upon us we shall never think redressed, till *every Act* passed by the British Parliament for the express purpose of raising a Revenue upon us without our consent is repealed; till the American Board of Commissioners of the Customs is dissolved; the Troops recalled, and things restored to the state they were in before the late extraordinary measures of Administration took place. —

Besides these Letters of Governor Bernard, we find others written by General Gage and Commodore Hood. And we cannot but observe that altho' these Gentlemen were perfect Strangers in the Town, they have yet taken such extraordinary freedoms, and the General in particular has wrote in such a positive strain, as must unavoidably give high disgust to every Reader of candor and impartiality. — If these Gentlemen received the character of the Town, or of any of its Individuals, from Governor Bernard as we are ready to think they did, they must have been long before convinced, if they knew anything at all of the state of the Town, that the Governor was too deeply interested in *misrepresenting*, to be credited in a point of that importance; and therefore common Justice would have dictated

a suspension of their public testimony to the prejudice of a Community, till they could have had the opportunity of doing it upon impartial enquiry, or *their own* observation—The General seems to have early imbib'd some sort of prejudice against a Town, that had been before prejudiced in his favor: For the Governor in one of his Letters to Lord Hillsburrough acquaints him, that the General “had sent Cap^t. Montresor from New York to assist the Forces as *Engineer*, and enable them to RECOVER and maintain the Castle and such other Posts as they could secure,” upon intelligence that the People in and about Boston had *revolted*. Now even the Governor himself declares this to be a mistake, and says that things were not “quite so bad as that came to.”—As there are two constant and regular Posts between this Town & N York, each of which carries intelligence from the one to the other in the course of a week; and more especially as he might reasonably expect authentick accounts of a matter of such *importance*, by express in a shorter time; it is strange if the Generals mind was un-biased, that he should so strongly rely upon private advice, as to form his measures from them, which the Governor Asserts—It was a measure of importance, as it issued to the Town; for Coll^o. Dalrymple who had the Command of the Regiments, from the *authority of these new orders*, as the Governor declares, thought proper to alter the plan, which was to land only one, and landed both the Regiments in Boston without loss of time. Perhaps it was under the impression of these *private advices*, and the Narrative of the proceedings of the Town Meeting, which the Governor also mentions as influential on the Generals measures, and which possibly was a Narrative of the Governors own writing, that so wrought upon the Generals imagination, as to induce him to give his opinion to his Lordship, that the “intentions of the Town were suspicious, and that he was happy the Troops from Hallifax arrived at the time they did”! These and many such like unprovoked expressions are to be found in the Letters of both of these Gentlemen, and especially the Generals; but as they partake of a full portion of the spirit of Governor Bernards and as the sense of this Province fully appears in the late spirited Resolves of the House of Representatives, we shall avoid troubling the Publick with particular Remarks upon them, and to borrow an expression of *great authority*, “treat them with the contempt they deserve —

Instructions to the Representatives, May 15, 1770.

To the Hon^{ble}. James Bowdoin Esq. & Thomas Cushing
Esq. Mr. Samuel Adams and the Hon^{ble}. John Hancock
Esq. —

Gentlemen —

The Town of Boston by their late choice of you to Represent them in the ensuing General Court, have given strong proof of their confidence in your abilities and integrity. For no period since the perilous times of our venerable Fathers has worn a more gloomy and melancholy aspect. Unwarrantable and arbitrary exactions made upon the people — trade expiring, grievances murmurs discontents convulzing every part of the British Empire, forbode a day of tryal, in which under God nothing but strict virtue and inflexible fortitude can save us, from a rapacious and miserable distruction. A series of occurrences, many recent events, and especially the late Journals Of the House of Lords afford great reason to believe, that a Deep laid & desperate plan of Imperial despotism has been laid, and partly executed, for the extinction of all civil liberty; — and from a gradual sapping the grand foundation from a subtle undermining the main pillars, breaking the strong bulwarks destroying the principal ramparts and battlements, the august and once revered, fortress of english freedom — the admirable work of ages, — the BRITISH CONSTITUTION seems fast tottering into fatal & inevitable ruin. The dreadful catastrophe threatens universal havock, and presents an awful warning to hazard all if peradventure, we in these distant confines of the Earth may prevent being totally overwhelm'd and buried under the ruins of our most established rights. For many Years past we have with sorrow beheld the approaching conflict; various have been the causes, which pressed on this decisive period, and everything now conspires to prompt a full exertion of our utmost vigilance wisdom and firmness; — and as y^e. exigencies of the times require, not only the refined abilities of true policy; but the more martial virtues; conduct valor and intrepidity; So Gentlemen in giving you our suffrages, at this Election, we have devolved upon you a most important trust; to discharge which we doubt not you will summon up the whole united faculties of mind and body. —

We decline Gentlemen a minute detail of many momentous concerns, relative to which it is believed no Instructions need be given: but we shall express our thoughts on such matters as we suppose you will choose to have our explicit sentiments. —

A Grievance which will early present itself in the ensuing Sessions (and to redress which you are to take all proper and spirited methods) is that of holding the Genecal Court at Harvard College, not only against antient usage and established law, but also against the welfare of that Seminary of learning, the happy advancement of which, this Province ever had and still have so much at heart. —

We would have you Gentlemen particularly Scrutinize into the wise and cautious transactions of our worthy Fathers in 1721. They it should be known, in that year tho not directly called to weigh The high importance of the question, yet, on this very matter, behaved with a political foresight, and sagacious circumspection, truly admirable and worthy imitation: The small pox then almost as pestilential as the plague, rendred the Meeting of the General Court in Boston morally impossible; yet so convinced was the Governor of the Province of his own defect of authority to remove the General Assembly out of Town, that when all the Members daring to attend the Court in that infectious season, were assembled in the Council Chamber unable to make a quorum of the lower House they were expressly assured by his Excellency that the proposed adjourning into the Country should not be drawn into President. Accordingly a reliance doubtless being had on such solemn assurance, no objections appear entred on record against the Adjournment, when thro' a providential calamity, a transaction of business in the proper place was become really impracticable. No Proverb is more familiar, than that necessity knows no law; and the Court no doubt on this natural consideration was immediately adjourned out of this Town. Yet so universally sensible were the people of that duty, and especially the three branches of Legislature, than an act of the whole Court, even when such a fatal emergency had forced the Adjournment, absolutely requisite to legalize and capastate for their procedure to publick business: — and accordingly a vote passed the honourable House to that purpose, the same was concurred by his Majestys Council, and approved & formally assented to, by the Commander in Chief: — all which appears on the publick records

of the Province. Now we should be glad to be informed, how these proceedings in essence sense and spirit, differ from a full ample and final denunciation of the law establishing the seat of Government.

We are not ignorant that in 1728/9 a controversy was forced on relative to this point. This dispute had its rise, like many of more modern date, in consequence of ministerial Instructions which to borrow a phrase of the then House "are not pleasant to mention." We are not unacquainted that his Majestys Attorney and Solicitor General were at this time consulted relative to our legal seat of Government. We also know that the then Governor (Burnet) treating upon the same subject informed the House of Representatives, that the *King Determined* the point," according to the Attorney General and "Solicitors opinion, that "*the sole power* of dissolving proroguing and adjourning *the* General Court or Assembly as to time or place "is in his MAJESTYS GOVERNOR, and that the reasons against it "from the tenth of King William had no real foundation; "*there being no clause in that Act laying any such restraint upon the Governor.*"

Here it should be well observed is not barely a tacit but an express declaration that the sole power of dissolving is "devolved entirely" *upon*, and exclusively vested "*in the Governor*" From hence in our opinion, this consequence unavoidably follows, that no Instructions orders or mandates whatever ought to direct and control *such power solely in the Governor*. For it is not merely absurd in theory, and most mischievous in practise, that an authority incapacitated by distance to Judge of local and other critical circumstances, should have a power to fix such an important movement, but moreover it is palpably contrariant to the plain words of the preceeding determination. We freely own it would have given us more satisfaction to have seen this opinion under the hand of those Lawyers. But we would here Gentlemen direct you carefully to notice and remember, that as we always expect to defend our own rights & libertys so we are unalterably fixed to Judge *for ourselves* of their real existence, agreeable to law. Yet as we believe this same opinion is far from being well grounded so we now offer a few comments thereon; for your future consideration. But let it be recorded that we enter upon this task, protesting against the pretended right or power of any Crown Lawyer, or any exterior authority upon Earth to determine

limit or ascertain all or any of our constitutional or charteral, natural or civil political or sacred Rights liberties and privileges or immunities. These words there being no clause in the "Act of 10th, of William laying any such *constraints* upon the Governor" contained in the afore cited opinion are we conclude intended to convey that as the Kings *prerogative* to remove the General Court at pleasure is not by express words taken away so such a power remains inherent in the Crown. We do allow indeed that the Kings Prerogative was once thought "a topic too delicate and sacred to be profaned by the pen of a Subject, that it was ranked among the *arcana imperii*, and like the misteries of the *bona dea* was not suffered to be pried into by any but such as were initiated into its Service: because perhaps the exertion of the one, like the solemnities of the other would not bear the inspection of a rational & sober enquiry" We also have heard that there hath been a British Potentate who "dared to direct on English Parliament to abstain from discoursing of matters of state; that even that august assembly ought not to deal to Judge or to meddle with *Majestys Prerogative Royal*" — and James the first with his high notions of the Divinity of regal sway, more than once laid it down in his speeches, that "as it was atthesm and blasphemy in a Creature to dispute what the Deity might do so it is presumption and sedition in a subject to dispute what a King might do in the height of his powers; Good Christians he adds will be content with Gods will revealed in his word, and good Subjects will rest in the Kings will, revealed in ms Law" Surely when such mistical Jargon, such absurd and infamous rant was thus openly denounced in a Realm famed for understanding, freedom and true magnanimitie nothing except an ineffable contempt of the reigning Monarch diverted that indignant vengeance, which would otherwise have made his illustrious throne to tremble and hurl'd the Royal diadem from his forfeit head.

The Kings prerogative in its largest extent includes only certain rights and privileges which *by law* the King hath as a third power of the Commonwealth intrusted with the execution of *laws already in being*. This prerogative our law pronounces to be *solely governed by the laws of the land*; those being the measure as well of the Kings power as the Subjects obedience. For as the laws assert & bound the Just rights of the King; so they likewise delare & maintain the Rights and

liberties of the people; hence it is adjudged law, that all prerogatives must be for the advantage and good of the people, otherwise such pretended prerogatives are to be allowed by law. Even our crown Lawyers will inform us “that one of the principal bulwarks of civil liberty, or in other words of the British constitution is the limitation of the Kings prerogative by bounds so certain and notorious, that it is impossible he should ever exceed them, without the consent of the people on the one hand, or without on the other a violation of that original contract, which in all states implicitly and in ours most expressly subsists between the Prince and the Subject — And for a consideration of the extent and the restrictions of the Kings prerogative, this conclusion will evidently follow that the powers which are vested in the Crown by the laws of England, are necessary for the support of society; and do not retrench any further on our *natural* rights than is expedient for the maintenance of our civil. Sir Henry Finch under Charles the first tho’ he lays down the law of prerogative in very strong and emphatical terms, yet qualifies it with a general restriction in regard to the liberties of the people — The King (says he) hath a prerogative in all things that are not injurious to the Subject, *in them all* it must be remembered, that the *Kings prerogative stretcheth* not to the doing of any wrong. And finally the best definition of the *prerogative*, which our law books afford is “that discretionary power of acting for the *public good* where the positive laws are silent and if this discretionary power be abused to the publick detriment, such *prerogative* is exerted in an unconstitutional manner.

We Gentlemen have been thus particular in our instructions on this head, because we apprehend that this point of prerogative thro’ great inattention hath been much mistaken; and also because every *other* matter, set forth in the aforesaid opinion of Mr. Attorney and Soliciter General has been irrefragably confuted by diverse Judicious replys of succeeding houses of Assembly. Now the clear law laid down (to the spirit of which we do order you punctually to adhere) proves beyond a cavil, that if the late removal of our General Court was not against plain provincial law, yet that such removal is not only unwarrantable by the principles of Crown Law, but is directly repugnant to the fundamental institutions even of prerogative law — For will any one be so weak or wicked; nay, will even a Crown lawyer for his stipend or pension have the front pub-

liely to maintain, that the late alteration of the seat of our General Assembly is “for the advantage and good of the people,” or “for the necessary support of society,” or that this assumed “prerogative stretcheth not to any wrong.” “Now if all this and much more, is not maintained, then waving our provincial law relative to the seat of government, we with good authority say, that the holding the General Court, from its antient and proper station, is unwarrantable unconstitutional illegal and oppressive. We have given you Gentlemen our full sentiments touching this important concern, because you ought not to be at any loss how to conduct your self herein conformable to the Judgment of your Constituents,— But had we not here spoken so largely may had the express letter of the law been less favourable, & were it possible to romaek up any absurd obsolete notion, which might have seemed calculated to propogate slavish doctrines, we should by no means have been influenced to forego our birth rights. For the prime and only reason which originated all laws, but more particularly and expressly the prerogative, was the general emolument of the state, and therefore when any pretended prerogatives do not advance this grand purpose, they have no legal obligation; and when any strictly Just prerogatives are exerted to promote any different design, they also cease to be binding. Indeed was a Soliciter General of Majesty in an express treatise “of the Kings prerogative will teach us” that mankind will not be reasoned out of the feelings of humanity nor will sacrifice their liberty by a scrupulous adherence to those political maxims, which were originally established to preserve it. —

The despicable situation of our provincial militia you will make the object of your peculiar attention; and as it is apparent From what putred source, this decline of military emulation hath flow’d we press, that such animated steps may be taken as shall speedily remove this Just reproach from the land.— When every method is obstinately pursued to enervate with forreign luxuries, every artifice practised to corrupt, in order to inslave, when we are denyed a free constitutional exercise of our rights as Men and Citizens; when high handed invasions are made on our property, and audacious attempts to intimidate not only from resistance but complaint; surely the constitutional watchmen and centinels of our liberties are asleep upon their stations, or traitors to the main body, if they do not rouse and risque from this insidious plot. —

As a laudable and voluntary renunciation of a baneful Commerce has naturally occasioned a general stagnation of trade; and as the true riches of a people are numbers and industry we warmly recommend to you such measures as will tend to increase population, encourage industry and promote our own manufactures; and as this is a very pacifick political device for the defeat of our malicious foes, we presume it may be less obnoxious to the virulent slander of ministerial dependants — but these salutary methods of genuine policy ought never to exclude or supercede the more open, manly, bold and pertenaacious exertions for our freedom.

One of the most weight matters, which attracts our affection, and lies deep in the heart of every honest sensible American, is the firm and lasting union of the Colonies; There is no one point which ought more to engage our affectionate zeal. Our enemies well knowing the consequence of this great acquisition, have bent their whole force to render it abortive. Without the least foundation Jealousies have been assiduously infused, diabolical falsehood forged, idle tales propagated, little discords fomented; and every engine that fraud could invent, and hardy villains manage, has been set to work in order to retard if not utterly overthrow this desirable attainment, but all has not done it. The Eyes of our worthy Brethren thro' the Continent are open — yet as we know the plotting mallice inveteracy & indefatigable labour of the desperately wicked, we strongly inculcate that you be zealous to keep up a cordial intercourse, with our Sister Colonies; and as our interests are so apparently inseparable, nothing but an intimate Communion is requisite to cement our political and natural attachment —

We have for a long time beheld with grief and astonishment the unwarrantable practise of ministerial instructions to the Commanders in Chief of this Province; it is high time Gentlemen for this matter to be searched into and remedied. —

Such an enormous stretch of power, if much longer unchecked, will eventually annihilate the essentials of all civil liberty. It is repugnant to the very first principle of true government (which was alone instituted for the good of the governed) that a remote power not only much disconnected but often different in interests should undertake at pleasure to controul any command in affairs of the last moment for the benefit and relief of the people — a power 3000 transmarine miles distant, not only ignorant of our true welfare, but if perchance

discovered interested to oppose it; not only attempting to oppress, but actually oppressing — that such a power should be allowed, wontonly to proscribe patricians & plebeius, at will to fix the residence of our parliament; to order that parliament when and how to proceed, and where to retire; at one time to forbid the best improvement of our own produce, at another time effectually to force us to purchase forreign merchandize; and again as it were sword in hand to demand our property; and anon to forbid our own disposal of a certain part of it — these are doctrines & political solieisms which may take root and spring up, under the meridian of modern Rome; but we trust in God will not flourish in the soil and climate of British America. We therefore strictly charge you not to grant any supplys to the instruments of government if through their defect or misapplication the grand end for which we support and pay our Rulers are not accomplished. We also recommend to you carefully to enquire into the state of criminal Prosecution in our executive courts; and endeavor to revive the antient method of appointing the Attorney General, agreeable to charter; for we believe that such a step will be attended with very salutary consequences, in the advancement of public Justice, the punishment of offenders and the general good order of the Province——

Our choice of you Gentlemen to represent us at this hazardous Juncture is a sufficient evidence of our great dependence on your wise honest and steady conduct — We therefore leave all other matters to your best discretion and Judgment; till we shall see fit to give further instructions — We greatly confide that you will bear in strong remembrance, the hardships and sufferings of our pious fathers, to find out and purchase this remote assylum from ecclesiastical persecution and civil tyranny; that inspired by their glorious example, you will vigorously repel even unto the uttermost the insults and violences of internal and external enemies to our peace. We remind you that the further Nations recede and give way to the gigantick strides of any powerful Despot, the more rapidly will the Fiend advance to spread wide desolation; and then should an attempt be made to stay his ravaging progress — “the dogs of war let loose and hot for blood rush on to waste and havock! — *Obsta principiis* is the maxim to be held in view. It is now no time to halt between two opinions; the demands of fraud, violence and usurpation are unsatiable. It is therefore no season to

stand listning to subtle alurements, deceitful cajolings, or formidable threatenings. We therefore enjoin you at all hazards to deport (as we rely your own hearts will stimulate) like the faithful Representatives of a freeborn, awakened and determined people—who being impregnated with the spirit of liberty in conception, and nrtured in principles of freedom from their infancy are resolved to breathe the same celestial ether, till summoned to resign the heavenly flame by that omnipotent God who gave it——

Instructions to the Representatives, May 10, 1772.

To the Hon^{ble}. Thomas Cushing Esq. Mr. Samuel Adams The Hon^{ble}. John Hancock Esq. and Mr William Phillips——

Gentlemen

The choice we have made of you to Represent us in the Assembly of the Commons of this Province at the ensuing Sessions of the General Court, is the strongest Testimony of the high Opinion which we entertain of your Abilities and Integrity; Nevertheless we think it our duty at such a time as this when the very Being of our Constitution is so dangerously attacked, to express to you whom we have deputed & impowered to act for us, the sense we have of the Opressions which we suffer—No People were ever in circumstances more truly alarming than those in which the People of this Province now are. An exterior power claims a Right to govern us, & have for a number of years been levyng an illegal tax on us; whereby we are degraded from the rank of Free Subjects to the despicable Condition of Slaves. For its evident to the meanest Understanding that Great Britain can have no Right to take our Moneys from us without our consents unless we are her Slaves, unless our Bodys our Persons are her property she surely cannot have the least claim to dispose of our earnings, & tho. we have hitherto failed of success our applications for the redress of this cruel grievance we are still determined to exert our utmost efforts to break up this baneful source of Despotism & Misery. The attention of every one who has the least affection for his Country must be awakened to this important Subject when he sees the long train of evils which flow from it. We are especially under the most uneasy apprehensions from

the repeated refusals of our Governor to accept of an honourable support from the People and we have the highest reason to believe that apart of the very Money unjustly taken from us is applied to support him in a state of Independance upon the People over whom he presides — If this is the case our situation is truly deplorable. The same oppressions of which we so justly complain are made the support of the Man, who ought to exert his utmost power to obtain a redress of our Grievances. A Ruler Independent of the People over whom he presides, is abhorrent to the Principles of a Free Government — Power without a Check is Tyranny, whoever is possessed of such a power is a Master instead of a Governor, and whoever submits to such a power is a Slave instead of a Subject. The intention & only reasonable end of Government is the happiness of Mankind; and every branch of a legal Government ought to be interested in the public welfare, & should have every possible inducement to study & promote the *good & happiness* of the governed: But we fear that the Interest of this People and of the Gentleman who presides over us, are made as distinct & even as opposite as they possibly can be; and if we allow ourselves to form a Judgement from what has taken place since his Excellencys Accession to the Chair, our fears must be augmented & confirmed as the Administration of affairs has been altogether such as much necessarily have resulted from an opposition of interest and the Governors intire independancy on us — We shall mention to you a few striking Instances of the Justice of this remark. We think it impossible that our Governor should be at liberty to consult like the Father of this People, their true Interest whilst he considers himself bound to obey Instructions sent to him from the other side of the Atlantic: For although he may know that doing any particualar Act, would be beneficial to the People, & condusive to his Majestys service, yet if he is instructed to the contrary it must not be done. But if he is Instructed to do an Act which he knows will be detrimental to the People and injurious to his Majestys service, yet according to this new System he must do it — every consideration of the fitness & reasonableness of the transaction is thrown aside, & whatever may be the consequences to King or People, the Governor must exercise the power committed to him not agreable to his discretion and the apparent interest of the Province but according to the Instructions received from a Minister three thousand miles distant — Instructions are urged

in excuse for almost everything of which we complain. By an Instruction our Legislative Body are restrained from Meeting at their antient & established seat, contrary to their *inclination* so repeatedly declared to the Governor. By an Instruction our Fortress Castle William built and for a long time supported by the Province for its defence has been delivered to Troops over whom the Captain General of the Province has declared he has no controul: and who to appearance have taken more care to make it formadable to this Town, than to a Forreign Enemy — Under the Influence of an Instruction the Governor has refused his consent to a tax Bill for defreying the necessary Charges of Government because such Persons as the British Minister was pleased to point out, were not expressly exempted from bearing their due proportion of said Tax. And what seems to compleat our misfortune is, that an Instruction is pleaded for refusing a Grant for the payment of our Agents at the Court of Great Britain. Thus we are to be cut off, even from complaint that last resource of the wretched. His Excellency is Instructed not to sign any grant for the payment of an Agent, unless he is chosen by the three branches of the Legislature, he cannot consent to any one who is proscribed in his Instructions. It is against an Administration in which Lord Hillsburrough & his Dependents are principal Actors that we complain. But no one whom he disapproves must be allowed to manage our complaints. It is difficult to restrain our indignation at the gross affront offered to our Understandings in this affair. A Capacity but little remote from Idiotism is sufficient to discover the fatal consequences of this Ministerial plot. —

The Town have in times past declared to their Representatives their sense of the burthen laid upon the Commercial Interests of the Community by the extension of the powers of the Court of Admiralty. A Jurisdiction in its very nature repugnant to our Constitution & contrary to Magna Charta, as it invests one Judge appointed by the Crown with Authority to determine concerns the most important to the property and liberty of the Subject — And they expressed their sense of this Grievance as sharpened by the Contrast which appears in the same Statute between the Mother Country & the Colonies — For however it may be urged that the Court of Admiralty is established by the Charter of this Province yet by the same Charter the People of this Province are entitled to all the Liberties privileges & Immunities of free British Subjects —

And to see the British Parliament by one and the same Statute, taking from the Colonies an important right namely TRIALS BY JURIES & securing that Right to themselves in cases of the same nature & importance must be deeply affecting to us. We take this opportunity of renewing our protestations against the powers of that Court which have already proved so vexatious to Persons concerned in trade; and in a very recent Instance according to the best information we are able to obtain, have been made use of to disturb & harrass the industrious Farmer, & which if not restrained bid fair to render all property either Real or Personal to the last degree precarious — Thus Gentlemen have we exhibited to you a view of many of the Grievances which distress this People: And we expect you will use your utmost Influence in the ensuing Session of the General Court to have them radically redressed; not doubting but you will receive the most ready and effectual assistance from those wise Patriots who are or shall be chosen To Represent our Brethren in the several Towns of this faithful Province — In particular we desire that you would use your influence that a Remonstrance be presented to his Majesty whose elevated station denominates him the Father of his People, and the tenor of whose Throne is the protection of his Subjects against the Oppressions which we suffer laying open to his view in the fullest and plainest manner the true state of this his Province of the Massachusetts Bay, & pleading with him with that freedom & firmness which the Justice of the cause & the exigencies of your Country demand. And that you may not fail of reaching the Royal Ear, we Instruct you to exert yourselves to procure a proper Grant from the House of Representatives for the payment of the Agents, who have served the Hon^{ble}. his Majestys Council & the Hon^{ble}. House of Representatives for some years past, & that you take timely care to know whether the same is concurred with and consented to by the other two Branches of the Legislature. And that if it is not, that you endeavor to obtain a Resolve of the House for a Brief for raising a Sum sufficient for defraying the charges of an Agency for the Year ensuing, that so we may at least in this way make use of our own Moneys to purchase an access to the Ear of our King. —

There are Gentlemen many other Matters of great Importance to the Province which will come before you; & we are happy that we can with confidence commit our concerns to you Having that by the favor of Divine Providence you will be greatly

Instrumental in restoring and securing both to us & our Posterity our violated Rights, thus only may we with reason expect to enjoy the invaluable Blessings of Harmony & good Government —

American Rights.

Report adopted November 20, 1772.

First, a state of the *Rights* of the Colonists and of . . . this Province in particular —

Secondly, A List of the *Infringements*, and Violations of those . . . Rights. —

Thirdly, A Letter of Correspondence with the . . . other Towns. —

1st. Natural Rights of the Colonists as men. —

Among the natural Rights of the Colonists are these First, a Right to *Life*; Secondly to *Liberty*; thirdly to *Property*; together with the Right to support and defend them in the best manner they can — Those are evident Branches of, rather than deductions from the Duty of Self Preservation, commonly called the first Law of Nature —

All Men have a Right to remain in a State of Nature as long as they please: And in case of intollerable Oppression, Civil or Religious, to leave the Society they belong to, and enter into another —

When Men enter into Society, it is by voluntary consent; and they have a right to demand and insist upon the preformance of such conditions, And previous limitations as form an equitable *original compact*. —

Every natural Right not expressly given up or from the nature of a Social Compact necessarily ceded remains. —

All positive and civil laws, should conform as far as possible, to the Law of natural reason and equity. —

As neither reason requires, nor religion permits the contrary, every Man living in or out of a state of civil society, has a right peaceably and quietly to worship God according to the dictates of his conscience. —

“Just and true liberty, equal and impartial liberty” in matters spiritual and temporal, is a thing that all Men are clearly entitled to, by the eternal and immutable laws Of God and nature, as well as by the law of Nations, & all well

grounded municipal laws, which must have their foundation in the former. —

In regard to Religion, mutual tolleration in the different professions thereof, is what all good and candid minds in all ages have ever practiced; and both by precept and example inculcated on mankind: And it is now generally agreed among christians that this spirit of toleration in the fullest extent consistent with the being of civil society “is the chief characteristical mark of the true church” & In so much that Mr. Lock has asserted, and proved beyond the possibility of contradiction on any solid ground, that such toleration ought to be extended to all whose doctrines are not subversive of society. The only Sects which he thinks ought to be, and which by all wise laws are excluded from such toleration, are those who teach Doctrines subversive of the Civil Government under which they live. The Roman Catholicks or Papists are excluded by reason of such Doctrines as these “that princes excommunicated may be deposed, and those they call *Hereticks* may be destroyed without mercy; besides their recognizing the Pope in so absolute a manner, in subversion of government, by introducing as far as possible into the states, under whose protection they enjoy life, liberty and property, that solecism in politicks, Imperium in imperio* leading directly to the worst anarchy and confusion, civil discord, war and blood shed —

The natural liberty of Men by entering into society is abridg'd or restrained so far only as is necessary for the

See Locks Letters on Toleration

Great end of Society the best good of the whole —

In the state of nature, every man is under God, Judge and sole Judge, of his own rights and the injuries done him: By entering into society, he agrees to an Arbiter or indifferent Judge between him and his neighbours; but he no more renounces his original right, than by taking a cause out of the ordinary course of law, and leaving the decision to Referees or indifferent Arbitrations. In the last case he must pay the Referees for time and trouble; he should be also willing to pay his Just quota for the support of government, the law and constitution; the end of which is to furnish indifferent and impartial Judges in all cases that may happen, whether civil ecclesiastical, marine or military. —

“The natural liberty of man is to be free from any superior

* A Government within a Government —

power on earth, and not to be under the will or legislative authority of man; but only to have the law of nature for his rule" —

In the state of nature men may as the *Patriarchs* did, employ hired servants for the defence of their lives, liberty and property: and they should pay them reasonable wages. Government was instituted for the purposes of common defence; and those who hold the reins of government have an equitable natural right to an honourable support from the same principle "that the labourer is worthy of his hire" but then the same community which they serve, ought to be assessors of their pay: Governors have no right to seek what they please; by this, instead of being content with the station assigned them, that of honourable servants of the society, they would soon become Absolute masters, Despots, and Tyrants. Hence as a private man has a right to say, what wages he will give in his private affairs, so has a Community to determine what they will give and grant of their Substance, for the Administration of publick affairs. And in both cases more are ready generally to offer their Service at the proposed and stipulated price, then are able and willing to perform their duty. —

In short it is the greatest absurdity to suppose it in the power of one or any number of men at the entering into society, to renounce their essential natural rights, or the means of preserving those rights when the great end of civil government from the very nature of its institution is for the support, protection and defence of those very rights: the principal of which as is before observed, are life liberty and property. If men through fear, fraud or mistake, should *in terms* renounce & give up any essential natural right, the eternal law of reason and the great end of society, would absolutely vacate such renunciation; the right to freedom being *the gift* of God Almighty, it is not in the power of Man to alienate this gift, and voluntarily become a slave —

2^d. *The Rights of the Colonists as Christians* —

These may be best understood by reading — and carefully studying the institutes of the great Lawgiver and head of the Christian Church: which are to be found closely written and promulgated in the *New Testament* —

By the Act of the British Parliament commonly called the Toleration Act, every Subject in England Except Papists &c was

restored to, and re-established in, his natural right to worship God according to the dictates of his own conscience. And by the Charter of this Province it is granted ordained and established that it is declared as an original right) that there shall be liberty of conscience allowed in the worship of God, to all christians except Papists, inhabiting or which shall inhabit or be resident within said Province or Territory. *Magna Charta itself is in substance but a constrained Declaration, or proclamation, and promulgation in the name of King, Lord, and Commons of the sense the latter had of their original inherent, indefeazible natural Rights,† as also those of free Citizens equally perdurable with the other. That great author that great jurist, and even that Court writer Mr. Justice Blackstone holds that this recognition was justly obtained of King John sword in hand: and peradventure it must be one day sword in hand again rescued and preserved from total destruction and oblivion. —

3^d. *The Rights of the Colonists as Subjects*

A Common Wealth or state is a body politick or civil society of men, united together to promote their mutual safety and prosperity, by means of their union ‡

The *absolute Rights* of Englishmen, and all freemen in or out of Civil society, are principally, *personal security personal liberty and private property*.

All Persons born in the British American Colonies are by the laws of God and nature, and by the Common law of England, *exclusive of all charters from the Crown*, well

Entitled, and by Acts of the British Parliament are declared to be entitled to all the natural essential, inherent & inseperable Rights Liberties and Privileges of Subjects born in Great Britain, or within the Realm. Among those Rights are the following; which no men or body of men, consistently with their own rights as men and citizens or members of society, can for themselves give up, or take away from others

First, "The first fundamental positive law of all Commonwealths or States, is the establishing the legislative power; as the first fundamental *natural* law also, which is to govern even the legislative power itself, is the preservation of the Society."§

* See 1. Wm. and Mary. St. 2. C. 18— and Massachusetts Charter.

† Lord Cokes Im. Blackstone, Commentaries— Vol. 1st. Page 122.

‡ See Lock and Vattel —

§ Locke on Government. Salus Populi Suprema Lex esto —

Secondly, The Legislative has no right to absolute arbitrary power over the lives and fortunes of the people : Nor can mortals assume a prerogative, not only too high for men, but for Angels ; and therefore reserved for the exercise of the *Deity* alone. —

“The Legislative cannot Justly *assume* to itself a power to rule by extempore arbitrary decrees : but it is bound to see that Justice is dispensed, and that the rights of the subjects be decided, by promulgated, standing and known laws, and authorized *independent Judges* ;” that is independent as far as possible of Prince or People. “*There shall be one rule of Justice for rich and poor ; for the favorite in Court, and the Countryman at the Plough.*”*

Thirdly, The supreme power cannot Justly take from any man, any part of his property without his consent, in person or by his Representative. —

These are some of the first principles of natural law & Justice, and the great Barriers of all free states, and of the British

Constitution in particular. It is utterly irreconcilable to these principles, and to many other fundamental maxims of the common law, common sense and reason, that a British house of commons, should have a right, at pleasure, to give and grant the property of the Colonists. That these Colonists are well entitled to all the essential rights, liberties and privileges of men and freemen, born in Britain, is manifest, not only from the Colony charter, in general, but acts of the British Parliament. The statute of the 13th of George 2. c 7. naturalizes even foreigners after seven years residence. The words of the Massachusetts Charter are there, “And further our will and pleasure is, and we do hereby for us, our heirs and successors, grant establish and ordain, that all and every of the subjects of us, our heirs and successors, which shall go to and inhabit within our said province or territory and every of their children which shall happen to be born there, or on the seas in going thither, or returning from thence shall have and enjoy, all liberties and immunities of free and natural subjects within any of the dominions of us, our heirs and successors, to all intents constructions & purposes whatsoever as if they and every of them were born within this our Realm of England.” Now what liberty can there be, where property is taken away without consent ? Can it be said with any colour of truth and Justice, that this Continent of three thousand miles in length, and of a breadth as

* Locke —

yet unexplored, in which however, its supposed, there are five millions of people, has the least voice, vote or influence in the decisions of the British Parliament? Have they, all together, any more right or power to return a single number to that house of commons, who have not inadvertently, but deliberately assumed a power to dispose of their lives,* Liberties and properties, then to choose an

Emperor of China! Had the Colonists a right to return members to the british parliament, it would only be hurtfull; as from their local situation and circumstances it is impossible they should be ever truly and properly represented there. The inhabitants of this country in all probability in a few years will be more numerous, than those of Great Britain and Ireland together; yet it is absurdly expected by the promoters of the present measures, that these, with their posterity to all generations, should be easy while their property, shall be disposed of by a house of commons at three thousand miles distant from them; and who cannot be supposed to have the least care or concern for their real interest: Who have not only no natural care for their interest, but must be *in effect* bribed against it; as every burden they lay on the colonists is so much saved or gained to themselves. Hitherto many of the Colonists have been free from Quit Rents; but if the breath of a british house of commons can originate an act for taking away all our money, our lands will go next or be subject to rack rents from haughty and relentless landlords who will ride at ease, while we are trodden in the dirt. The Colonists have been branded with the odious names of traitors and rebels, only for complaining of their grievances; How long such treatment will, or ought to born is submitted.

A List of Infringements & Violations of Rights.

We cannot help thinking, that an enumeration of some of the most open infringements of our rights, will by every candid Person be Judged sufficient to Justify whatever measures have been already taken, or may be thought proper to be taken, in order to obtain a redress of the Grievances under which we labour. Among many others we Humbly conceive, that the following will not fail to excite the attention of all who consider themselves interested in the happiness and freedom of mankind in general, and of this continent and province in particular.—

* See the Act of the last Session, relating to the Kings Dock Yards —

1st The British Parliament have assumed the power of legislation for the Colonists in all cases whatsoever, without obtaining the consent of the Inhabitants, which is ever essentially necessary to the right establishment of such a legislative —

2^d They have exerted that assumed power, in raising a Revenue in the Colonies without their consent; thereby depriving them of that right which every man has to keep his own earnings in his own hands until he shall in person, or by his Representative, think fit to part with the whole or any portion of it. This infringement is the more extraordinary, when we consider the laudable care which the British House of Commons have taken to reserve intirely and absolutely to themselves the powers of giving and granting moneys. They not only insist on originating every money bill in their own house, but will not even allow the House of Lords to make an amendment in these bills. So tenacious are they of this privilege, so jealous of any infringement of the sole & absolute right the people have to dispose of their own money. And what renders this infringement the more grievous is, that what of our earnings still remains in our own hands is in a great measure deprived of its value, so long as the British Parliament continue to claim and exercise this power of taxing us; for we cannot Justly call that *our* property which *others* may, when they please take away from us against our will. —

In this respect we are treated with less decency and regard than the Romans shewed even to the Provinces which They had conquered. *They* only determined upon the sum which each should furnish, and left every Province to raise it in the manner most easy and convenient to themselves —

3^d A number of new Officers, unknown in the Charter of this Province, have been appointed to superintend this Revenue, whereas by our Charter the Great & General Court or Assembly of this Province has the sole right of appointing all civil officers, excepting only such officers, the election and constitution of whom is in said charter expressly excepted; among whom these Officers are not included. —

4th These Officers are by their Commission invested with powers altogether unconstitutional, and entirely destructive to that security which we have a right to enjoy; and to the last degree dangerous, not only to our property; but to our lives: For the Commissioners of his Majestys customs in America, or any three of them, are by their Commission impowered, “by

writing under their hands and seals to constitute and appoint inferior Officers in all and singular the Port within the limits of their commissions" Each of these petty officers so made is intrusted with power more absolute and arbitrary than ought to be lodged in the hands of any man or body of men whatsoever: for in the commission aforementioned, his Majesty gives & grants unto his said Commissioners, or any three of them, and to all and every the Collectors Deputy Collectors, Ministers, Servants, and all other Officers serving and attending in all and every the Ports and other places within the limits of their Commission, full power and authority from time to time, at their and any of their wills and pleasures, as well By Night as by day to enter and go on board any Ship, Boat, or other Vessel, riding lying or being within, or coming into any Port, Harbour, Creek or Haven, within the limits of their commission; and also in the day time to go into any house, shop, cellar, or any other place where any goods wares or merchandizes lie concealed, or are *suspected* to lie concealed, whereof the customs & other duties, have not been, or shall not be, duly paid and truly satisfied, answered or paid unto the Collectors, Deputy Collectors, Ministers, Servants, and other Officers respectively, or otherwise agreed for; and the said house, shop, warehouse, cellar, and other place to search and survey, and all and every the boxes, trunks, chests and packs then and there found to break open." —

Thus our houses and even our bed chambers are exposed to be ransacked, our boxes chests & trunks broke open ravaged and plundered by wretches, whom no prudent man would venture to employ even as menial servants; whenever they are pleased to say they *suspect* there are in the house wares &c for which the dutys have not been paid. Flagrant instances of the wanton exercise of this power, have frequently happened in this and other sea port Towns. By this we are cut off from that domestick security which renders the lives of the most unhappy in some measure agreable. Those Officers may under colour of law and the cloak of a general warrant, break thro' the sacred rights of the *Domicil*, ransack mens houses destroy their securities, carry off their property, and with little danger to themselves commit the most horred murders. —

And we complain of it as a further grievance, that notwithstanding by the Charter of this Province, the Governor and the Great and General Court or Assembly of this Province or

Territory, for the time being shall have full power and authority, from time to time, to make, ordain and establish all manner of wholesome and reasonable laws, orders, statutes, and ordinances, directions and instructions, and that if the same shall not within the term of three years after presenting the same to his Majesty in privy council be disallowed, they shall be and continue in full force and effect, untill the same shall be repealed by the Great and General Assembly of this Province: Yet the Parliament of Great Britain have rendered or attempted to render, null and void a law of this Province made and passed in the Reign of his late Majesty George the first, intituled "An Act stating the Fees of the Custom-house Officers within this Province" and by meer dint of power, in violation of the Charter aforesaid, established other and exorbitant fees, for the same Officers; any law of the Province to the contrary notwithstanding. —

5th. Fleets and Armies have been introduced to support these unconstitutional Officers in collecting and managing this unconstitutional Revenue; and troops have been quarter'd in this Metropolis for that purpose. Introducing and quartering standing Armies in a free Country in times of peace without the consent of the people either by themselves or by their Representatives, is, and always has been deemed a violation of their rights as freemen; and of the Charter or Compact made between the King of Great Britain, and the People of this Province, whereby all the rights of British Subjects are confirmed to us —

6th. The Revenue arising from this tax unconstitutionally laid, and committed to the management of persons arbitrarily appointed and supported by an armed force quartered in a free City, has been in part applied to the most destructive purposes. It is absolutely necessary in a mixt government like that of this Province, that a due proportion or balance of power should be established among the several branches of legislative. Our Ancestors received from King William & Queen Mary a Charter by which it was understood by both parties in the contract, that such a proportion or balance was fixed; and therefore every thing which renders any one branch of the Legislative more independent of the other two than it was originally designed, is an alteration of the constitution as settled by the Charter; and as it has been untill the establishment of this Revenue, the constant practise of the General Assembly to

provide for the support of Government, so it is an essential part of our constitution, as it is a necessary means of preserving an *equilibrium*, without which we cannot continue a free state. —

In particular it has always been held, that the dependence of the Governor of this Province upon the General Assembly for his support, was necessary for the preservation of this *equilibrium*; nevertheless his Majesty has been pleased to apply fifteen hundred pounds sterling annually out of the American revenue, for the support of the Governor of this Province independent of the Assembly, whereby the ancient connection between him and this people is weakened, the confidence in the Governor lessened and the equilibrium destroyed, and the constitution essentially altered. —

And we look upon it highly probable from the best intelligence we have been able to obtain, that not only our Governor and Lieutenant Governor, but the Judges of the Superior Court of Judicature, as also the Kings Attorney and Solicitor General are to receive their support from this Grievous tribute. This will if accomplished compleat our slavery. For if taxes are raised from us by the Parliament of Great Britain without our consent, and the men on whose opinions and decisions our properties liberties and lives, in a great measure depend, receive their support from the Revenues arising from these taxes, we cannot, when we think on the depravity of mankind, avoid looking with horror on the danger to which we are exposed? The British Parliament have shewn their wisdom in making the Judges there as independent as possible both on the Prince and People, both for place and support: But our Judges hold their Commissions only during pleasure; the granting them salaries out of this Revenue is rendering them independent on the Crown for their support. The King upon his first accession to the Throne, for giving the last hand to the independency of the Judges in England, not only upon himself but his Successors by recommending and consenting to an act of Parliament, by which the Judges are continued in office, notwithstanding the demise of a King, which vacates all other Commissions, was applauded by the whole Nation. How alarming must it then be to the Inhabitants of this Province, to find so wide a difference made between the Subjects in Britain and America, as the rendering the Judges here altogether dependent on the Crown for their support. —

7th. We find ourselves greatly oppressed by Instructions sent to our Governor from the Court of Great Britain, whereby the first branch of our legislature is made merely a ministerial engine. And the Province has already felt such effects from these Instructions, as We think Justly intitle us to say that they threaten an entire destruction of our liberties, and must soon, if not checked, render every branch of our Government a useless burthen upon the people. We shall point out some of the alarming effects of these Instructions which have already taken place. —

In consequence of Instructions, the Governor has called and adjourned our General Assemblies to a place highly inconvenient to the Members and grately disadvantageous to the interest of the Province, even against his own declared intention —

In consequence of Instructions, the Assembly has been pro-rogued from time to time, when the important concerns of the Province required their Meeting —

In obedience to Instructions, the General Assembly was Anno 1768 dissolved by Governor Bernard, because they would not consent to *rescind* the resolution of a *former* house, and thereby sacrifice the rights of their constituents. —

By an Instruction, the honourable his Majesty Council are forbid to meet and transact matters of publick concern as a Council of advice to the Governor, unless called by the Governor; and if they should from a zealous regard to the interest of the Province so meet at any time, the Governor is ordered to negative them at the next Election of Councillors. And although by the Charter of this Province the Great & General Court have full power and authority to impose taxes upon the estates and persons of all and every the proprietors and inhabitants of this Province, yet the Governor has been forbidden to give his consent to act imposing a tax for the necessary support of government, unless such persons as were pointed out In the said instruction, were exempted from paying their Just proportion of said tax —

His Excellency has also pleaded Instructions for giving up the provincial fortress, Castle William into the hands of troops, over whom he had declared he had no controul (and that at a time when they were menacing the Slaughter of the Inhabitants of the Town, and our Streets were stained with the blood which they had barbariously shed) Thus our Governor, appointed and paid from Great Britain with money forced from us, is made

an instrument of totally preventing or at least of rendering, every attempt of the other two branches of the Legislative in favor of a distressed and wronged people: And least the complaints naturally occasioned by such oppression should excite compassion in the Royal breast, and induce his Majesty seriously to set about relieving us from the cruel bondage and insults which we his loyal Subjects have so long suffered, the Governor is forbidden to consent to the payment of an Agent to represent our grievances at the Court of Great Britain, unless he the Governor consent to his election, and we very well knew what *the man must be* to whose appointment a Governor in such circumstances will consent —

While we are mentioning the infringement of the rights of this Colony in particular by means of Instructions, we cannot help calling to remembrance the late unexampled suspension of the legislative of a Sister Colony, *New York* by force of an Instruction, untill they should comply with an Arbitrary Act of the British Parliament for quartering troops, designed by military execution, to enforce the raising of a tribute. —

8th. The extending the power of the Courts of Vice Admiralty to so enormous a degree as deprives the people in the Colonies in a great measure of their inestimable right to tryals by *Juries*: which has ever been Justly considered as the grand Bulwark and security of English property.

This alone is sufficient to rouse our jealousy. And we are again obliged to take notice of the remarkable contrast, which the British Parliament have been pleased to exhibit between the Subjects in Great Britain & the Colonies. In the same Statute, by which they give up to the decision of one dependent interested Judge of Admiralty the estates and properties of the Colonists, they expressly guard the estates & properties of the people of Great Britain; for all forfeitures & penalties inflicted by the Statute of George the Third, or any other Act of Parliament relative to the trade of the Colonies, may be sued for in any Court of Admiralty in the Colonies; but all penalties and forfeitures which shall be incurred in great Britain, may be sued for in any of his Majestys Courts of Record in Westminster or in the Court of Exchequer in Scotland, respectively. Thus our Birth Rights are taken from us; and that too with every mark of indignity, insult and contempt. We may be harrassed and dragged from one part of the Continent to the other (which some of our Brethren here and in the Country Towns already have been)

and finally be deprived of our whole property, by the arbitrary determination of one biassed, capricious Judge of the Admiralty. —

9th. The restraining us from erecting Stilling Mills for manufacturing our Iron the natural produce of this Country, Is an infringement of that right with which God and nature have invested us, to make use of our skill and industry in procuring the necessaries and conveniences of life. And we look upon the restraint laid upon the manufacture and transportation of Hatts to be altogether unreasonable and grievous. Although by the Charter all Havens Rivers, Ports, Waters &c. are expressly granted the Inhabitants of the Province and their Successors, to their only proper use and behoof forever, yet the British Parliament passed an Act, whereby they restrain us from carrying our Wool, the produce of our own farms, even over a ferry; whereby the inhabitants have often been put to the expence of carrying a Bag of Wool near an hundred miles by land, when passing over a River or Water of one quarter of a mile, of which the Province are the absolute Proprietors, would have prevented all that trouble. —

10th. The Act passed in the last Session of the British Parliament, intituled, *An Act for the better preserving his Majestys Dock Yards, Magazines, Ships, Ammunition and Stores*, is, as we apprehend a violent infringement of our Rights. By this Act any one of us may be taken from his Family, and carried to any part of Great Britain, there to be tried whenever it shall be pretended that he has been concerned in burning or otherwise destroying any Boat or Vessel, or any Materials for building &c. any Navalor Victualling Store &c belonging to his Majesty. For by this Act all Persons in the Realm, or in any of the places thereto belonging (under which denomination we know the Colonies are meant to be included) may be indicted and tryed either in any County or Shire within this Realm, in like manner and form as if the offence had been committed in said County, as his Majesty and his Successors may deem Most expedient. Thus we are not only deprived of our grand right to *tryal by our Peers in the Vicinity*, but any Person suspected, or pretended to be suspected, may be hurried to Great Britain, to take his tryal in any County the King or his Successors shall please to direct; where, innocent or guilty he is in great danger of being condemned; and whether condemned or acquitted he will probably be ruined by the expence attending

the tryal, and his long absence from his Family and business; and we have the strongest reason to apprehend that we shall soon experience the fatal effects of this Act, as about the year 1769 the British Parliament passed Resolves for taking up a number of Persons in the Colonies and carrying them to Great Britain for tryal, pretending that they were authorised so to do, by a Statute passed in the Reign of Henry the Eighth, in which they say the Colonies were included, although the Act was passed long before any Colonies were settled, or ever in contemplation. —

11th. As our Ancestors came over to this Country that they might not only enjoy their civil but their religious rights, and particularly desired to be free from the Prelates, who in those times cruilly persecuted all who differed in sentiment from the established Church, we cannot see without concern the various attempts, which have been made and are now making, to establish an American Episcopate. Our Episcopal Brethren of the Colonies do enjoy, and rightfully ought ever to enjoy, the free exercise of their religion, we cannot help fearing that they who are so warmly contending for such an establishment, have views altogether inconsistent with the universal and peaceful enjoyment of our christian privileges: And doing or attempting to do any thing which has even the remotest tendency to endanger this enjoyment, is Justly looked upon a great grievance, and also an infringement of our Rights, which is not barely to exercise, but peaceably & securely to enjoy, that liberty wherewith CHRIST has made us free. —

And we are further of Opinion, that no power on Earth can justly give either temporal or spiritual Jurisdiction within this Province, except the Great & General Court. We think therefore that every design for establishing the Jurisdiction of a Bishop in this Province, is a design both against our Civil and Religious rights: And we are well informed, that the more candid and Judicious of our Brethren of the Church of England in this and the other Colonies, both Clergy and Laity, conceive of the establishing an American Episcopate both unnecessary and unreasonable. —

12th Another Grievance under which we labour is the frequent alteration of the bounds of the Colonies by decisions before the King and Council, explanatory of former grants and Charters. This not only subjects Men to live under a constitution to which they have not consented, which in itself is a great

Grievance ; but moreover under color, that the *right of Soil* is affected by such declarations, some Governors, or Ministers, or both in conjunction, have pretended to Grant in consequence of a Mandamus many thousands of Acres of Lands appropriated near a Century past ; and rendered valuable by the labours of the present Cultivators and their Ancestors. There are very notable instances of Settlers, who having first purchased the Soil of the Natives, have at considerable expence obtained conformation of title from this Province ; and on being transferred to the Jurisdiction of the Province of *New Hampshire* have been put to the trouble and cost of a new Grant or conformation from thence ; and after all this there has been a third declaration of Royal Will, that they should thence forth be considered as pertaining To the Province of *New York*. The troubles, expenses and dangers which hundreds have been put to on such occasions, cannot here be recited ; but so much may be said, that they have been most cruelly harrassed, and even threatned with a military force, to dragoon them into a compliance, with the most unreasonable demands.

A Letter of Correspondence to the Other Towns.

Boston November 20 : 1772

Gentlemen We the Freeholders and other Inhabitants of *Boston* in Town Meeting duly Assembled, according to Law, apprehending there is abundant to be alarmed at the plan of *Despotism*, which the enemies of our invaluable rights have concerted, is rapidly hastening to a completion, can no longer conceal our impatience under a constant, unremitted, uniform aim to enslave us, or confide in an Administration which threatens us with certain and inevitable destruction. But, when in addition to the repeated inroads made upon the Rights and Liberties of the Colonists, and of those in this Province in particular, we reflect on the late extraordinary measure in affixing stipends or Salaries from the Crown to the Offices of the Judges of the Superior Court of Judicature, making them not only intirely independent of the people, whose lives and properties are so much in their power, but absolutely dependent on the Crown (which may hereafter, be worn by a *Tyrant*) both for their appointment and support, we cannot but be extremely

alarmed at the mischievous tendency of this innovation ; which in our opinion is directly contrary to the spirit of the British Constitution, pregnant with innumerable evils, and hath a direct tendency To deprive us of every thing valuable as Men, as Christians and as Subjects, entitled, by the Royal Charter, to all the Rights, liberties and privileges of native Britons. Such being the critical state of this Province, we think it our duty on this truly distressing occasion, to ask you, What can withstand the Attacks of mere power ? What can preserve the liberties of the Subject, when the Barriers of the Constitution are taken away ? The Town of Boston consulting on the matter above mentioned, thought proper to make application to the Governor by a Committee ; requesting his Excellency to communicate such intelligence as he might have received relative to the report of the Judges having their support independent of the grants of this Province a Copy of which you have herewith in Paper N. 1. To which we received as answer the Paper N. 2. The Town on further deliberation, thought it advisable to refer the matter to the Great and General Assembly ; and accordingly in a second address as N. 3 they requested his Excellency that the General Court might Convene at the time to which they then stood prorogued ; to which the Town received the reply as N. 4. in which we are acquainted with his intentions further to prorogue the General Assembly, which has since taken place. Thus Gentlemen it is evident his Excellency declines giving the least satisfaction as to the matter in request. The affair being of publick concernment, the Town of Boston thought it necessary to consult with their Brethren throughout the Province ; and for this purpose appointed a Committee, to communicate with our fellow Sufferers, respecting this recent instance of oppression, as well as the many other violations of our Rights under which we have groaned for several Years past — This Committee have briefly Recapitulated the sens we have of our invaluable Rights as Men, as Christians, and as Subjects ; and wherein we conceive those Rights to have been violated, which we are desirous may be laid before your Town, that the subject may be weighed as its importance requires, and the collected wisdom of the whole People, as far as possible, be obtained, on a deliberation of such great and lasting moment as to involve in it the fate of all our Posterity — Great pains has been taken to perswade the British Administration to think that the good People of this Province in general are quiet and undisturbed at

the late measures; and that any uneasiness that appears, arises from a few factious designing and disaffected men. This renders it the more necessary, that the sense of the People should be explicitly declared. — A free communication of your sentiments to this Town, of our common danger, is earnestly solicited and will be gratefully received. If you concur with us in opinion, that our Rights are properly stated, and that the several Acts of Parliament, and Measures of Administration, pointed out by us are subversive of these Rights, you will doubtless think it of the utmost importance that we stand firm as one man, to recover and support them; and to take such measures by directing our Representatives, or otherwise, as your wisdom and fortitude shall dictate, to rescue from impending ruin our happy and glorious constitution. But if it should be the general voice of this Province, that the Rights as we have stated them, do not belong to us; or that the several measures of Administration in the British Court, are no violations of these Rights, or that if they are thus violated or infringed, they are not worth contending for, or resolutely maintaining; — should this be the general voice of the Province, we must be resigned to our wretched fate; but shall forever lament the extinction of that generous ardor for Civil and Religious liberty, which in the face of every danger, and even death itself, induced our fathers to forsake the bosom of their Native Country, and begin a settlement on bare Creation — But we trust this cannot be the case: We are sure your wisdom, your regard to yourselves and the rising Generation, cannot suffer you to dose, or set supinely indifferent on the brink of destruction, while the Iron hand of oppression is daily tearing the choicest Fruit from the fair Tree of Liberty, planted by our worthy Predecessors, at the expence of their treasure, & abundantly water'd with their blood — It is an obversation of an eminent Patriot, that a People long inured to hardships, loose by degrees the very notions of liberty; they look upon themselves as Creatures *at mercy*, and that all impositions laid on by superior hands, are legal and obligatory. — But thank Heaven this is not yet verified in *America*! We have yet some share of publick virtue remaining: we are not afraid of poverty, but disdain slavery. — The fate of Nations is so Precarious and resolutions in States so often take place at an unexpected moment, when the hand of power by fraud or flattery, has secured every Avenue of retreat, and the minds of the Subject debased to its purpose, that it becomes every will

wisher to his Country, while it has any remains of freedom, to keep an Eagle Eye upon every inovation and stretch of power, in those that have the rule over us. A recent instance of this we have in the late Revolutions in *Sweden*, by which the Princee once subject to the laws of the State, has been able of a sudden to declare himself an absolute Monarch The Sweeds were once a free, martial and valiant people: Their minds are now so debaced, that they rejoice at being subject to the caprice and arbitrary power of a Tyrant & kiss their Chains. It makes us shudder to think, the late measures of Administration may be productive of the like Catastrophe; which Heaven forbid!— Let us consider Brethren, when we are struggling for our best Birth Rights & Inheritance; which being infringed, renders all our blessings precarious in their enjoyments, and consequently trifling in their value. Let us disappoint the Men who are raising themselves on the ruin of this Country. Let us convince every Invader of our freedom, that we will be as free as the Constitution our Fathers recognized, will Justify. —

Instructions to the Representatives, May 5, 1773.

To the Hon^{ble}. Thomas Cushing Esq. Mr. Samuel Adams Hon^{ble}. John Hancock Esq. William Phillips Esq. Representatives for the Town of Boston —

Gentlemen

By the renewed Suffrages of your Brethen of this Town, you are once more called upon to Represent them in the General Assembly: The unanimity so conspicuous in your Election at this important Juncture affords the strongest Testimony of the confidence the People repose in your approved Abilities, and inflexible Attachment to their Constitutional Rights. —

Your Constituents have beheld with indignation that proposed neglect and insolent contempt with which the Representative Body of this People have been regarded by Administration. A total inattention to the privileges of the Commons in America has disgraced almost every transaction, that materially effected the Colonies: A clandestine, capricious and destructive mode of Government, couch'd under the specious umbrage of Instructions from Majesty, has been uniformly adopted and wantonly exercised for several Years past, thereby rendering the Assemblies

of Commons throughout the Colonies mere Cyphers in the Constitution: For this reason Gentlemen, *we were almost discouraged from renewing the choice of Members, as ineffectual for the several purposes for which they were originally ordain'd*; but still retaining respect to that good and orderly Government, which has ever distinguished this Metropolis; agreeable to the Charter, which on *our* parts remains inviolate, we *once* more recommend the important concerns of this aggrieved People, to your vigilance, wisdom and integrity; in confidence that you will regard with Jealousy, *your own* constitutional power & importance of which the honor and welfare of this People, should render you extremely tenacious: that you will vigorously oppose any inroadments on your ancient privileges and never will betray your Constituents, by surrendering those powers of framing Laws & Taxes for the People to any Usurper under Heaven —

The Constitutional mode by which Legislation & Taxation are conducted in Great Britain, being nothing more or less than the exercise of the power of the People by their Representatives: This form of Government is extended by sacred compact to the English Dominions in America, therefore the Privileges and Powers of the Commons of this Colony respecting Legislation and Taxation are to all intents and purposes, as full express and uncontrollable within the *Colony* as those usually exercised by the Commons of Great Britain within the *Realm* and *alike* subjected To the Revision of the King: These Powers and Privileges were secured to our Ancestors, by solemn Covenant between them, and the King of England, and perpetuated by their Charter to their latest Posterity: From the free and full enjoyment of these original Rights of English Subjects, we are determined never to recede; and altho' they have been repeatedly and daringly invaded, the hand of Oppression shall never induce us to relinquish our title to freedom: We still perceive with indignation that the Governmental powers of Legislation & Taxation by Arbitrary claim are assumed, and vigorously exercised by those who by their local situation can have no adequate knowledge of our circumstances, no kindred feelings in our distresses, and when swayed by a *corrupt influence*, may impoverish weaken and enslave us —

To the numberless grievances flowing from this iniquitous source, which we have already frequently and fruitlessly complained of, we may Justly add a stipendary Soldierly stationed

and continued in the chief Fortress in the Metropolis of this Colonie by the inexorable Enemies to our free Constitution : Standing Armies have forever made Shipwreck of Free States and no People Jealous of their liberties ever patiently suffered Mercenary Troops to be quarter'd & maintained within their Populous Cities ; the Militia of the Colony are its natural and best defence ; and it is an approved maxim in all well policed States, that the Sword should never be intrusted but to those who combat *pro aris et focis* : and whose interest it is to preserve the publick peace. We cannot therefore but resent those Standing Troops within our Capital Cities, as the appointed Executioners of Tyranny, and prepared Instruments to massacre the defenceless Citizens, at the nod of any Master who May have Authority to appoint or discharge, reward or punish them —

Thus armed with Brutal force the Enemies of our freedom persevere with alacrity, to compleat their infernal plan of enslaving America ; the above atrocious violations of Right, Justice and the Constitution are succeeded by the pensioning our Governor the Justices of the Superior Court &c. which in effect is bribing them on the side of Despotism : Those who by their several Offices should be the Asylum of publick security & liberty, are no longer the objects of confidence and regard with the People : we cannot but esteem them as subordinate Tyrants intrusted with a Rod to scourge us, and suppress that spirit of freedom which is the glorious characteristic of America. While they are thus purchased with ample Salaries extorted from the Colonies by Great Britain, we must be Jealous of a corrupt influence, when ever an Arbitrary measure of Government is to be carried, or a Claim of Right subjected to the Division of our Courts of Justice —

We shall not recapitulate the black Catalogue of abuses which the Colonies have been subjected to for several years past ; that we have suffered them so long is disgraceful to us : But we cannot pass over in silence the late extraordinary and formidable innovation in constituting an Arbitrary Court of Inquisition, which has lately assumed Jurisdiction within our Sister Colony of Rhode Island, in direct violation of all law and Justice ; who arrogate the enormous power to transport supposed Offenders to a remote Kingdom, to be *capitally arranged* for offences committed within that Colony. Agreeable to the Constitution of the Colonies, said Court in the

exercise of such extravagant powers, are to be held in the same contempt and detestation, with a *Banditti of Slave Makers on the Coast of Affrica*. We therefore expect you make due enquiry into a Measure so truly alarming & protest against every exertion of lawless power, which threatens the ruin of the Colonies —

Harrassed and provoked by such repeated abuses of power, we esteem it our indispensable duty to demand redress: to your Wisdom and your fortitude we commit ourselves not doubting you will readily pursue such measures as have a tendency to relieve us in the most *easy* and *effectual* manner; for this purpose we recommend to your most serious consideration whether an application to the English Colonies on this Continent correspondent to the plan proposed by our *noble patriotick* Sister Colony of Virginia (which in our opinion is a wise and salutary proposal) will not secure our threatned liberties, and restore that mutual harmony and confidence between the British Nation & the English Colonies, so important to both especially the *former*, which if rescinded from her Connections with *this Continent*, must naturally fall a prey to her numerous & Jealous Neighbours. We have likewise the most sanguine expectations that a *Union of Councils and Conduct* among the *Colonies* will assuredly by the smiles of Heaven fix our Rights on such a solid basis, as may intimidate our implacable Enemies from any further attempts to invade them —

Instructions to the Representatives, September 22, 1774.

To the Hon^{ble}. Thomas Cushing Esq. Mr. Samuel Adams The Hon^{ble}. John Hancock Esq. William Phillips Esq.
Gentlemen,

As we have now chosen you to represent us in the Great & General Court, to be holden at Salem, on Wednesday, the 5th. Day of October next ensuing, we do hereby instruct you, that in all your Doings, as Members of the House of Representatives, you adhere firmly to the Charter of this Province, granted by their Majesties King William & Queen Mary, & that you do no act . . . which can possibly be construed into an Acknowledgment of the Act of the British Parliament, for altering the Government of Massachusetts'

Bay; more especially that you acknowledge the Hon^{ble}. Board of Counsellors, elected by the General Court at their Sessions in May last, as the only rightful & constitutional Council of this Province. — And, as we have Reason to believe that a Conscientious Discharge of your Duty will produce your Dissolution, as an House of Representatives — We do hereby empower & intrust you to join with the Members, who may be sent from this & the Neighbouring Towns in the Province, & to meet with them on a time to be agreed on, in a General Provincial Congress, to act upon such matters, as may come before you, in such a manner, as shall appear to you most conducive to the true Interest of this Town & Province, & most likely to preserve the Liberties of all America —

Instructions to the Representatives, May 30, 1776.

Gentlemen,

At a time when, in all Probability, the whole United Colonies of America are upon the Verge of a glorious Revolution, & when, consequently, the most important Questions that ever were agitated by the Representative Body of this Colony, touching its internal Police, will demand your Attention; your Constituents think it necessary to instruct you, in several Matters, what Part to act, that the path of your Duty may be plain before you.

We have seen the humble Petitions of these Colonies to the *King of Great Britain* repeatedly rejected with Disdain. For the Prayer of Peace he has tendered the Sword; — for Liberty, Chains; — for Safety, Death! He has licenced the Instruments of his hostile Oppressions to rob us of our Property, to burn our Houses, & to spill our Blood — He has invited every barbarous Nation, whom he could hope to influence, to assist him in prosecuting those inhumane Purposes, The Prince, therefore, in Support of whose Crown & Dignity, not many years since, we would most cheerfully have expended both Life & Fortune, we are now constrained to consider as the worst of Tyrants: Loyalty to him is *now* Treason to our Country: —

We have seen his venal Parliament so basely prostituted to his Designs, that they have not hesitated to enforce his arbitrary Requisitions with the most sanguinary Laws. — We have seen

the People of Great Britain so lost to every Sense of Virtue & Honor, as to pass over the most pathetic & earnest Appeals to their Justice with an unfeeling Indifference. — The Hopes we placed on their Exertions have long since failed. — In short, we are convinced, that it is the fixt & settled Determination of the King, Ministry, and Parliament of that Island to conquer & subjugate the Colonies, & that the People there have no Disposition to oppose them — A Reconciliation with them appears to us to be as dangerous as it is absurd — A Spirit of Resentment once raised it is not easy to appease: The Recollection of past Injuries will perpetually keep alive the Flame of Jealousy, which will stimulate to new Impositions on the One Side, & consequent Resistance on the other; & the whole Body politic will be constantly subject to civil Fermentations & Com-motions. — We therefore think it absolutely impracticable for these Colonies to be ever again subject to, or dependent upon Great Britian, without endangering the very Existence of the State: Placing however, unbounded Confidence in the Supreme Council of the *Congress*, we are determined to wait, most patiently to wait, 'till their Wisdom shall dictate the Necessity of making a Declaration of Independency — Nor should we have ventured to express our Sentiments upon this Subject, but from the Presumption, that the Congress would chuse to feel themselves supported by the People of each Colony, before they should adopt a Resolution so interesting to the whole. — The Inhabitants of this Town therefore, unanimously instruct & direct you, that, at the Approaching Session of the General Assembly, you use your Endeavors, that the Delegates of this Colony, at the Congress, be advised, that in Case the Congress should think it necessary for the Safety of the United Colonies, to declare themselves independent on Great Britian, the Inhabitants of this Colony, with their Lives & the Remnant of their Fortunes, will most chearfully support them in the measure. —

Touching the internal Police of this Colony, it is essentially necessary, in Order to preserve Harmony among ourselves, that the constituent Body be satisfied, that they are fully and fairly represented — The Right to legislate is originally in every Member of the Community; which Right is always exercised of a State: But when the Inhabitants are become numerous, 'tis not only inconvenient, but impracticable *for all* to meet in One Assembly; & hence arose the Necessity & Practice of legislating by a few, freely chosen by the many. — When this Choice

is free, & the Representation, equal, 'tis the People's Fault if they are not happy: We therefore entreat you to devise some Means to obtain an *equal Representation* of the People of this Colony in the Legislature. But care should be taken, that the Assembly be not unweildy; for this would be an Approach to the Evil meant to be cured by Representation. The largest Bodies of Men do not always dispatch Business with the greatest Expedition, nor conduct it in the wisest manner——

It is essential to Liberty that the legislative, judicial & executive Powers of Government be, as nearly as possible, independent of & separate from each other; for where they are united in the same Persons, there will be wanting that natural Check, which is the principal Security against the enacting of arbitrary Laws, and a wanton Exercise of Power in the Execution of them. — It is also of the highest Importance that every Person in a Judiciary Department, employ the greatest Part of his Time & Attention in the Duties of his Office. — We therefore farther instruct you, to procure the making such Law or Laws, as shall make it incompatible for the same Person to hold a Seat in the legislative & executive Departments of Government, at one & the same time: — That shall render the Judges in every Judicatory thro' the Colony, dependent, not on the uncertain Tenure of Caprice or Pleasure, but on an unimpeachable Department in the important Duties of their Station, for their Continuance in Office: And to prevent the Multiplicity of Offices in the same Person, that such Salaries be settled upon them, as Will place them above the Necessity of stooping to any indirect or collateral Means for Subsistence. ——

We wish to avoid a Profusion of the public Monies on the one hand, & the *Danger of sacrificing our Liberties to a Spirit of Parsimony on the other*; — Not doubting of your Zeal & Abilities in the common Cause of our Country, we leave your Discretion to prompt such Exertions, in promoting any military Operations, as the Exigency of our public Affairs may require: And in the same Confidence in your Fervor & Attachment to the public Weal, we readily submit all other Matters of public Moment, that may require your Consideration to your own Wisdom & Discretion. ——

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